PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES (HANSARD)

LEGISLATIVE ASSEMBLY

FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Book 1

25, 26 and 27 February 2003

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JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

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Hansard — Chief Reporter: Ms C. J. Williams

Library — Librarian: Ms G. Dunston

Joint Services — Director, Corporate Services: Mr S. N. Aird
Director, Infrastructure Services: Mr G. C. Spurr

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JUDY MADDIGAN

Deputy Speaker and Chair of Committees: Mr P. J. LONEY

Temporary Chairs of Committees: Ms Barker, Ms Campbell, Mr Delahunty, Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:
The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:
The Hon. J. W. THWAITES

Leader of the Parliamentary Liberal Party and Leader of the Opposition:
Mr R. K. B. DOYLE

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:
The Hon. P. N. HONEYWOOD

Leader of the Parliamentary National Party:
Mr P. J. RYAN

Deputy Leader of the Parliamentary National Party:
Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Languiller, Mr Telmo Ramon	Derrimut	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Leighton, Mr Michael Andrew	Preston	ALP
Asher, Ms Louise	Brighton	LP	Lim, Mr Hong	Clayton	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Barker, Ms Ann Patricia	Oakleigh	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Batchelor, Mr Peter	Thomastown	ALP	Lockwood, Mr Peter John	Bayswater	ALP
Beard, Ms Dympna Anne	Kilsyth	ALP	Loney, Mr Peter James	Lara	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Lupton, Mr Anthony Gerard	Prahran	ALP
Bracks, Mr Stephen Phillip	Williamstown	ALP	McIntosh, Mr Andrew John	Kew	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	McTaggart, Ms Heather	Evelyn	ALP
Buchanan, Ms Rosalyn	Hastings	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maughan, Mr Noel John	Rodney	NP
Carli, Mr Carlo	Brunswick	ALP	Maxfield, Mr Ian John	Narracan	ALP
Clark, Mr Robert William	Box Hill	LP	Merlino, Mr James	Monbulk	ALP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Delahunty, Mr Hugh Francis	Lowan	NP	Munt, Ms Janice Ruth	Mordialloc	ALP
Delahunty, Ms Mary Elizabeth	Northcote	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Dixon, Mr Martin Francis	Nepean	LP	Nardella, Mr Donato Antonio	Melton	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Doyle, Robert Keith Bennett	Malvern	LP	Overington, Ms Karen Marie	Ballarat West	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Eckstein, Ms Anne Lore	Ferntree Gully	ALP	Perera, Mr Jude	Cranbourne	ALP
Garbutt, Ms Sherryl Maree	Bundoora	ALP	Perton, Mr Victor John	Doncaster	LP
Gillett, Ms Mary Jane	Tarneit	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Plowman, Mr Antony Fulton	Benambra	LP
Haermeyer, Mr André	Kororoit	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	NP
Hardman, Mr Benedict Paul	Seymour	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Harkness, Mr Alistair Ross	Frankston	ALP	Ryan, Mr Peter Julian	Gippsland South	NP
Helper, Mr Jochen	Ripon	ALP	Savage, Mr Russell Irwin	Mildura	Ind
Herbert, Mr Steven Ralph	Eltham	ALP	Seitz, Mr George	Keilor	ALP
Holding, Mr Timothy James	Lyndhurst	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Honeywood, Mr Phillip Neville	Warrandyte	LP	Smith, Mr Kenneth Maurice	Bass	LP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Sykes, Dr William Everett	Benalla	NP
Hulls, Mr Rob Justin	Niddrie	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Ingram, Mr Craig	Gippsland East	Ind	Thwaites, Mr Johnstone William	Albert Park	ALP
Jasper, Mr Kenneth Stephen	Murray Valley	NP	Trezise, Mr Ian Douglas	Geelong	ALP
Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	NP
Kosky, Ms Lynne Janice	Altona	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

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Tuesday, 25 February 2003

OPENING OF PARLIAMENT BY COMMISSION

Proceedings commenced 11.03 a.m. by Clerk reading the Governor's proclamation convoking Parliament.

Usher of the Black Rod appeared at Bar and announced that Senior Commissioner appointed by the Governor to open Parliament (the Honourable John Harber Phillips, AC, Chief Justice of the Supreme Court of Victoria) requested attendance of Legislative Assembly members in Legislative Council chamber to hear commission read for commencement and holding of present session of Parliament.

Honourable members, accompanied by chief officers of house, proceeded to Legislative Council chamber.

On return of members to Legislative Assembly chamber, the Honourable Justice John Spence Winneke, AO, entered chamber and was conducted to chair by Serjeant-at-Arms.

SWEARING IN OF MEMBERS

Commission appointing the Honourable Justice John Spence Winneke, AO, to administer oath and affirmation of allegiance to members of Legislative Assembly read by Clerk.

Clerk announced receipt of return of writ issued by the Governor for election of 88 members to serve for electoral districts set out below and endorsed to show election of following members:

District	Member
Albert Park	Johnstone William Thwaites
Altona	Lynne Janice Kosky
Ballarat East	Geoffrey Kemp Howard
Ballarat West	Karen Marie Overington
Bass	Kenneth Maurice Smith
Bayswater	Peter John Lockwood
Bellarine	Lisa Mary Neville
Benalla	William Everett Sykes
Benambra	Antony Fulton Plowman
Bendigo East	Jacinta Marie Allan
Bendigo West	Robert Graham Cameron
Bentleigh	Robert John Hudson
Box Hill	Robert William Clark
Brighton	Louise Asher
Broadmeadows	John Mansfield Brumby
Brunswick	Carlo Carli
Bulleen	Nicholas Kotsiras
Bundoora	Sherryl Maree Garbutt
Burwood	Robert Einar Stensholt
Carrum	Jennifer Margaret Lindell
Caulfield	Helen Jean Shardey
Clayton	Hong Lim
Cranbourne	Jude Perera
Dandenong	John Pandazopoulos
Derrimut	Telmo Ramon Languiller
Doncaster	Victor John Perton
Eltham	Steven Ralph Herbert
Essendon	Judith Marilyn Maddigan
Evelyn	Heather McTaggart
Ferntree Gully	Anne Lore Eckstein
Footscray	Bruce Allan Mildenhall
Forest Hill	Kirstie Marshall
Frankston	Alistair Ross Harkness
Geelong	Ian Douglas Trezise
Gembrook	Tamara Louise Lobato
Gippsland East	Craig Ingram
Gippsland South	Peter Julian Ryan
Hastings	Rosalyn Buchanan
Hawthorn	Edward Norman Baillieu
Ivanhoe	Craig Anthony Cuffe Langdon
Keilor	George Seitz
Kew	Andrew John McIntosh
Kilsyth	Dympna Anne Beard
Kororoit	Andre Haermeyer
Lara	Peter James Loney
Lowan	Hugh Francis Delahunty
Lyndhurst	Timothy James Holding
Macedon	Joanne Therese Duncan
Malvern	Robert Keith Bennett Doyle
Melbourne	Bronwyn Jane Pike
Melton	Donato Antonio Nardella
Mildura	Russell Irwin Savage
Mill Park	Liliana D'Ambrosio

Mitcham	Anthony Gerard Robinson
Monbulk	James Anthony Merlino
Mordialloc	Janice Ruth Munt
Mornington	Robert Fitzgerald Cooper
Morwell	Brendan James Jenkins
Mount Waverley	Maxine Veronica Morand
Mulgrave	Daniel Michael Andrews
Murray Valley	Kenneth Stephen Jasper
Narracan	Ian John Maxfield
Narre Warren North	Luke Anthony Donnellan
Narre Warren South	Dale Lester Wilson
Nepean	Martin Francis Dixon
Niddrie	Rob Justin Hulls
Northcote	Mary Elizabeth Delahunty
Oakleigh	Ann Patricia Barker
Pascoe Vale	Christine Mary Campbell
Polwarth	Terence Wynn Mulder
Prahran	Anthony Gerard Lupton
Preston	Michael Andrew Leighton
Richmond	Richard William Wynne
Ripon	Jochen Helper
Rodney	Noel John Maughan
Sandringham	Murray Hamilton Ross Thompson
Scoresby	Kimberley Arthur Wells
Seymour	Benedict Paul Hardman
Shepparton	Elizabeth Jeannette Powell
South Barwon	Michael Paul Crutchfield
South-West Coast	Denis Vincent Napthine
Swan Hill	Peter Lindsay Walsh
Tarneit	Mary Jane Gillett
Thomastown	Peter Batchelor
Warrandyte	Phillip Neville Honeywood
Williamstown	Stephen Phillip Bracks
Yan Yean	Danielle Louise Green
Yuroke	Elizabeth Jean Beattie

Members except honourable member for Doncaster, who was not present, took and subscribed either oath or affirmation of allegiance to Her Majesty Queen Elizabeth II.

Commissioner withdrew.

ELECTION OF SPEAKER

Mr LANGDON (Ivanhoe) — I propose the honourable member for Essendon, Mrs Judy Maddigan, as Speaker of the Legislative Assembly, and I move:

> That the honourable member for Essendon do take the chair of this house as Speaker.

Mr CAMERON (Minister for Agriculture) — I second the motion.

Mrs MADDIGAN (Essendon) — I accept the nomination.

Motion agreed to.

Clerk declared honourable member for Essendon duly elected as Speaker.

Mrs Maddigan conducted to chair by proposer and seconder.

The SPEAKER (Hon. Judy Maddigan) — I wish to thank the members of the house for electing me today to the position of Speaker of the Legislative Assembly.

I look forward to working with all political parties and Independent members of Parliament to support the provisions of the Westminster system in allowing frank and open debate in the chamber.

I also, through firm control of the house, hope to improve the level of debate and to improve the image of parliamentarians in the general community.

As you are aware, women have not always been wholeheartedly welcomed into the democratic processes of Victoria. Victoria was the last state to grant women the vote in 1908 and it was not until 1923 that legislation was passed that allowed women to contest a seat in the Victorian Parliament.

Not all MPs were convinced, even by 1923, that women should be parliamentarians. Indeed many women were also opposed to the idea. The views of the conservative Women's National League might sound familiar to some members.

Mrs Hughes, its president, said that she did not think it would be wise for women to enter Parliament, on account of the long hours and late sittings, and that debates rendered Parliament an unsuitable place for women to be in.

The Honourable Dr Harris, a strong opponent of women entering Parliament, explained his views in the Legislative Council in September 1922:

> Nature has constructed woman to adorn the home. She has maternal instincts. Those instincts are the predominant part of a woman. Unless she happens not to have been chosen in life, a woman does not think of anything else but her home and her babies. This is the predominant natural quality of the female sex. The fact that she adorns her body is evidence that she is constructed that way.

The Honourable H. H. Smith, who actually supported the bill, said:

> Women have made great strides during the last century. There are some women who do not care to marry, but if they could get into Parliament perhaps they would do a certain amount of good.

In all these debates, however, the possibility of women taking senior roles in Parliament was never mentioned. I do not think it ever occurred to our forefathers that women would aspire to senior positions in either the government or the Parliament.

We have now had women ministers and, of course, Joan Kirner our first female Premier. For some reason it has taken much longer for women to be elected to senior parliamentary positions.

I am therefore proud that the Labor Party, of which I am a member, has nominated the first woman President and the first woman Speaker in the 150 years of the Victorian Parliament.

Honourable Members — Hear, hear!

The SPEAKER — Order! Finally I would like to pay tribute to our former Speaker, Alex Andrianopoulos. Alex achieved the respect and admiration of all members of this house for the exemplary way in which he conducted himself as Speaker. This respect extends to the press gallery, where Alex was made an honorary member.

As Deputy Speaker, I, perhaps more than other members, was able to see the great efforts that Alex made to resolve members' problems, however trivial, and we all experienced his fairness in dealing with members in the chamber.

On behalf of all of us I wish Alex, Virginia and Johanna all the best in the future.

Honourable members applauded.

The SPEAKER — Order! While clapping is, of course, against standing orders, on this occasion I am happy to be lenient. Thank you.

Mr BRACKS (Premier) — Speaker, first of all I congratulate you on your election as Speaker of the Legislative Assembly. It is a great honour, and an honour which you have, of course, earned through your period of parliamentary service, particularly as Deputy Speaker, during which you served this house with distinction. I congratulate you wholeheartedly not only on behalf of Parliament but also on behalf of the parliamentary Labor Party.

I can assure you that we will respect your judgments, we will respect the forms of this house and we will adhere to good and appropriate behaviour as you have set out in your comments here today. Again on behalf of the Parliament, the parliamentary Labor Party and the people of Victoria I congratulate you on your election as Speaker and wish you every success in the life of this Parliament.

Mr DOYLE (Leader of the Opposition) — Madam Speaker, I join with the Premier in congratulating you on your elevation to high office. We look forward to working with you, as the Premier has said. I commit the Liberal Party opposition to working with you in upholding the traditions, the dignity and the good order of the house.

It is true that on many of these occasions we hear these lofty sentiments and it is equally true that on occasion we fall away from the standards we set ourselves, but this is a chance at the start of the 55th Parliament to recommit ourselves to conduct which we can be proud of and which our constituents should expect of us. We commit ourselves to working with you towards that goal.

Mr RYAN (Leader of the National Party) — Madam Speaker, on behalf of the National Party I congratulate you upon your election to high office in this place. It is an extraordinary achievement and one of which you should justifiably be very proud. I commit the members of the National Party to supporting you in the way in which the chamber is conducted from this day forward. Indeed, in the course of recent events I proposed a series of measures that I suppose represented the concern we had as a party about the past conduct in this chamber, and I am pleased to say that I am very happy to suspend those proposals bearing in mind the matters you have brought forward today regarding the future conduct of the chamber.

Madam Speaker, I am sure that all of us here — members of the house of all persuasions and ministers who are answering questions during question time — are happy to adhere to the control you quite justifiably seek in this place. Everybody will be happy to contribute in their own way. I congratulate you once again.

Mr LANGDON (Ivanhoe) — As the mover of your appointment to this high office, Speaker, I congratulate you and look forward to working with you as the Government Whip. As members of the class of 1996, until 1999 we shared an office where we got to know each other remarkably well. I know you will do your best in your position as Speaker. I know you did an outstanding job as Deputy Speaker. I commend you for that. On behalf of your family, who are present in the chamber, I congratulate you, and on behalf of my family — you are the godmother of my youngest daughter — I also congratulate you.

Mr SAVAGE (Mildura) — On behalf of my Independent colleague and on my own behalf I congratulate you on your election as Speaker of this chamber. It is a great honour and responsibility, and I know you will uphold the fine traditions of this place, as did your predecessor. Congratulations.

CHAIR OF COMMITTEES

Mr PANDAZOPOULOS (Minister for Gaming) — It is my pleasure to propose the honourable member for Lara, Mr Peter Loney, as Chair of Committees, and I move:

> That the honourable member for Lara be appointed Chair of Committees of this house.

Mr TREZISE (Geelong) — I second the motion.

The SPEAKER — Order! Does the honourable member for Lara accept the nomination?

Mr LONEY (Lara) — I accept the nomination.

The SPEAKER — Order! I have to announce that the time for proposals has expired. I declare that the honourable member for Lara, being the only member proposed, has been duly elected Chair of Committees of this house. Congratulations!

Mr BRACKS (Premier) — I have to inform the house that I have already ascertained that the Governor will be pleased to receive the Speaker in the library, Parliament House, this day at 2.10 p.m. I would like as many members as possible to assemble in the library at 2.05 p.m. to accompany the Speaker.

Sitting suspended 11.55 a.m. until 2.31 p.m.

The SPEAKER resumed chair and read prayer.

PRESENTATION OF SPEAKER TO GOVERNOR

The SPEAKER — I desire to inform the house that this day I presented myself to the Governor as the choice of this Assembly and that he was pleased to address me in the following terms:

> Speaker,
>
> I have pleasure in congratulating you on your election to the high and important office of Speaker of the Legislative Assembly.
>
> The able manner in which you have discharged the duties you have undertaken during your parliamentary career is recognised by the honourable members of the Legislative Assembly, who in their wisdom have selected you as their Speaker.
>
> I have confidence that you will fulfil the duties of this distinguished office and hold fast to its traditions and customs.
>
> John Landy
> Governor of Victoria

GOVERNOR'S SPEECH

Usher of the Black Rod brought message from the Governor desiring attendance of honourable members in Legislative Council chamber.

Members, led by Speaker, proceeded to Council chamber.

Sitting suspended 3.10 p.m. until 5.05 p.m.

CONDOLENCES

Louis Frederick Cornu Garlick

The SPEAKER — Order! I advise the house of the death of Louis Frederick Cornu Garlick, member of the Legislative Assembly for the electoral district of Mildura from 1945 to 1947.

I ask honourable members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

The SPEAKER — I shall convey a message of sympathy from the house to the relatives of the late Louis Frederick Cornu Garlick.

Hon. Vincent Patrick Heffernan, OAM

Mr BRACKS (Premier)— I move:

> That this house expresses its sincere sorrow at the death on 15 November 2002 of the Honourable Vincent Patrick Heffernan, OAM, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Ivanhoe from 1985 to 1996 and Minister for Small Business and Minister responsible for Youth Affairs from 1992 to 1996.

Honourable Speaker, the Honourable Vincent Patrick Heffernan, OAM sadly passed away on Friday, 15 November 2002, after a short battle with cancer. Vin Heffernan, as he was known in this place and to his family, friends and colleagues, was born on 24 December 1935 in Ivanhoe. He remained connected with and committed to Ivanhoe and Heidelberg for the rest of his life. Vin Heffernan was educated at St Thomas's Christian Brothers College in Clifton Hill. He undertook an automotive engineering course at Richmond TAFE, worked as a motor engineer and soon became self-employed, running a motor repair and service station business. Vin Heffernan also became involved in the building and property development business.

His experience in small business and his links with the Ivanhoe–Heidelberg area were early pointers to his eventual political career. In 1966, at the age of 31, an age then considered very young for a local councillor, Vin Heffernan became a councillor in the City of Heidelberg. He held this position for 22 years, including one year as the mayor of Heidelberg in 1979–80. In addition to being a very active local councillor, Vin Heffernan was a commissioner for the Melbourne and Metropolitan Board of Works from 1976–79, a founder of the Bernie Geary youth scheme in 1980, a life governor of the West Heidelberg community centre and a member of the Heidelberg Rotary Club.

Apart from representing the concerns of small business owners, Vin Heffernan took to the Heidelberg council a special interest in improving road and traffic problems in the municipality. He also took on the challenge of developing alternatives for dealing with youth issues, particularly issues concerning unemployed young people in Heidelberg. His leadership in developing local youth employment schemes won him wide praise. His efforts were rewarded in 1983 when he received the Medal of the Order of Australia for his work with what he described in a subsequent interview with a local paper as 'the most disadvantaged section of our community'.

In 1985 Vin Heffernan was elected to the Legislative Assembly for the district of Ivanhoe. From 1985 to 1988 he served as the assistant on youth affairs to the then Leader of the Opposition. Between 1985 and 1992 he served as a member of several parliamentary committees in a range of fields including planning and environment and housing and construction industries.

In 1991–92 he became shadow Minister for Small Business. Following the Kennett government's victory in 1992 Vin Heffernan was appointed Minister for Small Business and Minister responsible for Youth Affairs — a direct reflection of the work he had previously undertaken in Ivanhoe and Heidelberg. I think many people who saw Vin Heffernan in this house and as a minister would agree with me that it is no overstatement to say that he had enormous pride and passion for those two portfolios, and he regularly brought that pride and passion here into the house.

After leaving the Victorian Parliament in 1996 he became local government commissioner for Nillumbik shire and continued his work on behalf of small business as chairman of the Small Business Advisory Network from 1998 until 2002. Throughout his parliamentary career Vin Heffernan was respected by all sides of politics. As many honourable members would know, on Friday, 22 November 2002, a state funeral mass was held at St Patrick's Cathedral in memory of Vin's life and his relentless drive to improve the day-to-day operation of small business and the lives of young people in the community here in Victoria, and above all, of course, the lives of residents in the Ivanhoe and Heidelberg area.

The state funeral mass was attended by Vin's parliamentary colleagues from all parties, a clear sign that he was respected by all, beyond the party-political divide. Above all, most members reflecting on Vin Heffernan's life would say about him that of all his attributes you could say Vin Heffernan was a good bloke. Sadly cancer claimed Vin Heffernan's life at the early age of 66.

On behalf of the Victorian government and the parliamentary Labor Party I offer sincere condolences to the family of Vin Heffernan, his wife Nancy, his children Anthony, Jan and Susan, daughter-in-law Louise and grandchildren Samantha, Mia and William.

Mr DOYLE (Leader of the Opposition) — I join the Premier in the condolence motion to recognise the life of the Honourable Vincent Patrick Heffernan, OAM, and his lifelong service to his local community and to the state of Victoria. Vin was born on 24 December

1935 in Ivanhoe and passed away just last year on 15 November.

If there was a single feature that stood out about Vin it was that he was a great talker! He listened to people and acted on their problems — but could Vin talk! I often saw Vin at our local gym. When it is early in the morning and you have been on the treadmill for half an hour the last thing you want is a policy debate. Luckily in a chat with Vin you did not have to do much of the talking!

In a rich and full life I think Vin was most proud of his work in areas where he made a real difference: working with young people who needed a chance in life.

Vin was educated at St Thomas's Christian Brothers College in Clifton Hill. He went on to become an automotive engineer after completing his apprenticeship at Richmond TAFE. But it was always civic and community life which attracted Vin; and Vin was steeped in the Heidelberg community. His grandfather worked for the Shire of Heidelberg in the 1920s. His father served an apprenticeship with a West Heidelberg butcher. Vin became over his life the community leader that everybody knew, stemming from his time as a local small businessman and also from 18 years of service to the Heidelberg City Council, including time as mayor in 1979 and 1980.

Among his many local connections were the fact that he was a member of the Heidelberg Rotary Club, a life governor of the West Heidelberg Community Centre, and a founder and chairperson of the Heidelberg Heritage Committee. He was a driving force behind the Bernie Geary Youth Scheme, and was president — a fact of which he was very proud — of the Heidelberg branch of the Liberal Party. Given that Heidelberg is not always known as a Liberal bastion you can understand the work that Vin did in that area with his pride in the Liberal Party.

But he was most passionate about giving young people a break in life, especially young people from a disadvantaged or underprivileged background. In 1983 Vin was awarded a Medal of the Order of Australia for his work in driving a community-based employment scheme. He went around local businesses in Heidelberg West asking them to take on a young worker for a day a week. It was highly successful — I suspect because of Vin's ability to wear you down. You could not say no to him, and if you did he just kept talking until you finally said yes! Giving kids a fair go was Vin's lifelong commitment. I could not guess at the number of schoolchildren who passed through Vin's electorate office doing work experience programs.

After a distinguished career in local government Vin was elected to the seat of Ivanhoe in the Victorian Parliament in 1985. He was the first Heidelberg councillor to win a seat in the Victorian Parliament and he served this Parliament until 1996. From 1985 to 1988 Vin was the assistant to the opposition leader on youth affairs and served on the parliamentary Liberal Party's housing and resources, planning and environment, and local government committees. From 1988 to 1992 he served on the parliamentary Liberal Party's housing, industrial relations, planning and environment, and industry, technology and resources committees, and was also appointed small business shadow minister.

Vin's talent and his commitment was recognised when he was given the responsibility to serve as small business and youth affairs minister from 1992 to 1996. Vin embraced that responsibility for two areas of government in which he had a substantial level of personal interest and passion. Vin was genuinely committed to alleviating problems such as homelessness, and Vin was talking about problems like homelessness perhaps before it came onto the agenda of so many political parties and into our community lexicon. He was widely respected among his peers in industry and among political opponents alike because of his genuine commitment to young people.

Vin was also a passionate advocate of small business. For Vin success was all about hard work and seizing opportunities. He was passionate about small business being allowed to 'get on with it', in Vin's own words. When speaking to the *Herald Sun* on 7 November 1992 about his background in small business Vin gave a bit of an insight into himself and into his drive. He said:

> When I was a mechanic I lived next door to a bricklayer who drove a Mercedes. I thought, 'If he can do it, I can'.

And he did.

Vin was a staunch advocate of his family. He was passionately devoted to them and especially to his grandchildren. We had the privilege of listening to his grand-daughters, Samantha and Mia, saying goodbye to Vin at his funeral. Their love and respect he would have treasured, their courage he would have been proud of.

There was something exceptional about Vin: his energy, his booming voice, his ability to relate to people from business leaders to a street kid. He could talk to them all, but especially always in the front of his mind were those people who needed a better chance in life. That epitomised his energy, his compassion and his commitment.

I was fortunate, as a number of us were, to serve in this Parliament between 1982 and 1996 with Vin Heffernan. I believe Vin stands out as an example to anybody aspiring to public life. His integrity was always beyond doubt, along with his compassion and his determination to make tomorrow better than today.

If a person is measured by what people say following his passing, then Vin Heffernan was truly a great person. Barbara Temby, who was Vin's campaign manager, said Vin was a very caring, special person; he was like a breath of fresh air, and he is the type of person we will miss very much. Sue Course, a foundation member of the Darebin Parklands Association, told the *Heidelberg Leader* on 3 December last year that Vin was an amazing man, highly intelligent, an impressive public speaker with a great sense of humour, boundless energy and an optimism that everything he believed in could be achieved. Vin's daughter Susan, when she also spoke to the *Leader* on 3 December last year, talked about his generosity, saying that he tried to help others in a way that assisted people to take their own initiative, which could be seen in his work with youth.

Vin is survived by his dear wife Nancy, their three children, Anthony, Jan and Susan, and their three grandchildren, Samantha, Mia and William. They are all in our thoughts. As the Premier said, Vin Heffernan was a good bloke; he was a decent bloke. We will miss you Vin, and we will remember you and your contribution to this state and this Parliament.

Mr RYAN (Leader of the National Party) — It is my pleasure and honour to join this condolence motion on behalf of the National Party to mark the memory and the life of Vin Heffernan. Vin Heffernan was a fine man. He was a man of many parts, and both the Premier and the Leader of the Opposition have made extensive reference to his many, many achievements. He served as a member of this place from 1985 until 1996, and it is when you have regard to the commentary contained in his maiden speech, which he of course made in 1985, that you gain some insights into the man who was Vin Heffernan.

He spoke first and foremost about his wife, Nancy, and their three children, Anthony, Jan and Susan. He spoke about people generally. He talked particularly of the aged and the care and concern he had for them. He spoke about single parent families in the electorate he was then representing — a thousand of them at that time — and he expressed his concern for them and on their behalf. He talked about unemployment, the terrible dread of it felt by many people and the role we have as parliamentarians to ease that sort of burden on the people who are caught in that web. He talked about the poor and the needy, and in many senses he spoke about issues that we now describe as social justice issues long before that term had been coined — and certainly before we came to use it as freely as we tend to today.

Vin also spoke about one of his great passions in life: small business. I echo the sentiments expressed by both the Premier and the Leader of the Opposition when they spoke about Vin's passion for lots of things, but very particularly for small business.

Vin was a man of great principles. He rejoiced in his Catholic faith. He was a man of immense good humour. I cannot remember striking Vinnie on a bad day. He always had a good word for everybody, and he was really something to contend with when he was in full flight. He was spoken of once by former Premier Jeff Kennett as being the true definition of enthusiasm.

The web site for parliamentary biographies talks of Vin and his interests in sport being to do with tennis and golf. I had some association with him and tennis. On the odd occasion over the years — together with the Honourable Bill McGrath, a former member for Wimmera who was a pretty handy tennis player himself, and the Honourable Ron Best, a former member in the other place who took up tennis late in an illustrious sporting career and became pretty good at it — Vin and I used to repair over to the tennis centre of a morning every now and again when Parliament was in session — before it commenced for the day I should emphasise!

Vin attacked the tennis court with all the enthusiasm that was his hallmark. There were added benefits in playing with Vin because you had a running commentary as the game unfolded. For those instances where he hit a winning shot, the commentary was loud, long and effusive. For those instances where he was to lose a point there was not so much said. He was very generous in his praise as you ran around the court trying to retrieve the impossible shot and failed to do it. He would come to the net purposely to tell you how well you had done in chasing the ball down!

It did not stop there. For days afterwards in the halls of this place and in the Strangers Corridor you would come across him and he would want to know if your knee had recovered, and you would realise that this was his ploy to tell you that you had played like a dog a couple of days beforehand when he had beaten you. I can give ample testament to the fact that he loved his tennis and played it with the passion for which he was

famous, and I certainly enjoyed his company over the years.

The other area in which I remember Vin is in his passion for things. He was a very passionate speaker. In many senses he was the Kostya Tszyu of Victorian politics. He would pull lines from everywhere and throw them at you. There were times over the years when I had the pleasure of standing beside him as he was at the podium and watching the impact on the crowd as he absolutely blitzed them with his views about whatever the issue might have been, but most particularly to do with small business and his great passion for young people and giving them a chance. As has been referred to, that passion for the young was properly commended by the award of the Medal of the Order of Australia in 1983.

His great love in life was his wife, Nancy, and their three children and grandchildren. I know they celebrate the life of this wonderful fellow and will continue to do so ever after. I must say that my immediate predecessor as Leader of the National Party, the Honourable Patrick McNamara, and Vin were great mates. They not only spent a lot of time together in this place, they spent a lot of time together out of this place. Together they were dubious company in which to engage, if I may take the liberty of saying so.

On behalf of all of us in the National Party, and including Patrick McNamara, I wish today to convey to Nancy and to Anthony, Jan, Susan and the grandchildren our sentiments of condolence on the occasion of the loss of Vin. He died, of course, on 15 November last year. His state funeral was on 22 November. He brought an election campaign to an absolute stop, and 1000 people came along to St Patrick's Cathedral to see him off — and he would have really enjoyed that!

Mr BATCHELOR (Minister for Transport) — I too join in the debate on the condolence motion for Vin Heffernan. Vin Heffernan was the good bloke in Victorian politics in the 1990s and he was widely respected by all sides of the chamber. Respect for Vin grew not just from his engagement in the Parliament, but largely from his involvement in the broader community.

He was born in West Heidelberg, and as honourable members have heard from the Leader of the Opposition, the Premier and the Leader of the National Party, he had a longstanding, active engagement both before entering Parliament and afterwards with the Heidelberg–Ivanhoe community. He was connected to it throughout his parliamentary career. His connection preceded his time in Parliament and he continued to work for that community after his defeat at the polls.

It is ironical in some senses that the inclusion of West Heidelberg, the place of his birth, in the electorate of Ivanhoe was one of the factors that made it difficult for him to hang on to that seat. Traditionally it has been a seat that has changed hands, and the redistributions have been helpful and unhelpful to incumbents. The irony that the inclusion of West Heidelberg, the place of his birth, made it much harder for him to hold has not been lost on us.

He was a councillor for the City of Heidelberg for a number of years between 1966 and 1984 and served as mayor in 1979–80. One of his achievements for his local community was the establishment of the West Heidelberg community health centre, and the work he did in setting it up and supporting it was one of the reasons for his being awarded the Medal of the Order of Australia. It was a recognition of his work for the West Heidelberg community.

He entered Parliament as the honourable member for Ivanhoe in 1985, when he defeated Tony Sheehan. This is another of a number of ironies that present themselves in this parliamentary chamber. He went on in later life to become very close friends with Tony Sheehan, and in fact they worked together at various opportunities after they both had left the chamber.

During his time in Parliament he was assistant to the opposition leader on youth affairs and on small business, and it was in these two policy areas of youth affairs and small business that he had an enduring and overriding interest.

Of course, that culminated in his appointment between 1992 and 1996 as Minister for Small Business and Minister responsible for Youth Affairs. It was during that time that I first got to know Vin Heffernan and began to appreciate his qualities. For new members of Parliament, and for the Labor opposition as it then was, it was a difficult time — and people should perhaps reflect on that now — but Vin Heffernan was a very generous person, a very generous minister and a very generous member of the then government. The comments which have been made today, which were reflected by the large number of people at the state funeral, are a recognition of his role and attitude as a minister during that time.

After 11 years, and as the electoral cycle changed, he lost to the current member for Ivanhoe. However, his connection to that north-eastern section of Melbourne did not change after the election, and he was

subsequently appointed a commissioner for the Shire of Nillumbik in 1996–97.

There are lots of wonderful stories about Vin. Apocryphally one of his most delightful from that time is about when he went to join the Labor Party in the late 1960s. Unfortunately at that time his pride in his Roman Catholic faith was seen as a dubious badge for someone trying to join the Labor Party. He was rejected — rebuffed — and found a political affiliation with the Liberal Party.

The thing that drove him to make that initial inquiry of the Labor Party — and this has been reflected upon in other contributions — was his great sense of social justice. He was a great bloke. and he was enthusiastic at all times. He might not have been the great public policy expert that some people who refine their parliamentary attributes become, but the overriding feature of his decision making was that he knew instinctively what was fair, what was just and what was good. I guess that too will be a recurring theme in the contributions made today.

Interestingly the Leader of the National Party reflected upon Vin's inaugural speech. I also think it is interesting to reflect on it, particularly at this time when we are at the beginning of a new Parliament and lots of members will be making inaugural speeches. It is important for honourable members to think carefully about what they want to say, because at some later stage people may refer to it!

Dr Napthine interjected.

Mr BATCHELOR — It comes to us all, Denis. You will go one day, too!

In the first speech Vin Heffernan made to this Parliament he spoke passionately about the needs of the aged, of single-parent families, of disadvantaged youth and of the living standards of ordinary workers in this community. They were recurring themes throughout his political life. In a sense he made a speech that many members of this chamber would be proud to make themselves, irrespective of what political party they represent.

He also made a number of comments about policy issues which in the fullness of time have proved to be very accurate. When he got into government he made good relationships across the chamber. He was always approachable, he was generous and he was outgoing in the sense of trying to help people who had interests in those electorates that were of interest to him. I remember him approaching me to deal with issues in my own electorate. He was not driven by wanting to deliver only on issues that were of concern to a particular party or a particular geographic area, he was also driven by wanting to deliver on issues that were of major concern to him.

He was well liked right across the political spectrum and, together with Pat McNamara and Tony Sheehan, former members of this house, was responsible for establishing the St Patrick's Day parliamentary dinner. It is one of those rare occasions here in Parliament where people from all sides of the political spectrum put their difference aside and get together and have a great time.

He will be missed by his colleagues from the Liberal Party, and he will be missed by the broader community. He will be missed by people across the political spectrum. He will also be missed by his local community, and of course he will be missed by his wife, Nancy, and his three children, Anthony, Jan and Susan. We extend our condolences to them.

Mr HONEYWOOD (Warrandyte) — We do not often in this place have a condolence motion for somebody most of us knew. We all agree that Vin deserved a better innings than he had — but having said that, I think Nancy would agree that Vin packed more into his 66 years than most people could even dream of packing into their lives.

There was something incredibly tribal in Vin's make-up. This could be both an endearing and a very frustrating quality. His more endearing elements included, first, a staunch adherence to his Irish-Catholic roots and family. When I first entered Parliament in 1988 I was immediately adopted into Vin's tribe, simply by virtue of the fact that I was at the time married to the daughter of a childhood friend of Vin's. My then father-in-law, Vin's mate, was Irish-Catholic; therefore Vin naturally assumed that I must be Irish-Catholic as well. Even though you could not get a more English name than Honeywood and even though I kept reminding Vin that I was a confirmed Anglican, in Vin's eyes thereafter I was Irish-Catholic and therefore part of his tribe. Even after I was no longer married to the daughter of his mate, Vin worked at keeping me in the tribe by bringing me into contact with his at-the-time unmarried daughter on every possible occasion.

Of course his tribalism reached its zenith when he and his good friend Pat McNamara got together, as we have already heard. Whether it was at that inaugural St Patrick's Day dinner here at Parliament, which some of us have never quite recovered from, getting up to high jinks at the Celtic Club or later lobbying the

government and the trade union movement on their latest financial development or superannuation deals, these two tribal leaders were like brothers-in-arms.

One of the more frustrating elements of Vin's tribal nature was his unwavering support for the then member for Mitcham, Roger Pescott. Whenever Roger got up to speak in this place the former member for Sunshine, Ian Baker, used to sum him up by bellowing out, 'Here comes Eton, Oxford and the guards!' — but Vin would never hear a bad word said against his good friend Roger. Sure enough, every time there was a leadership contest in our ranks Vin would be Roger's numbers man and singular champion. His loyalty to his friends was incredibly strong, no matter what the popularity of the case.

On our election to government in 1992 the Premier, Jeff Kennett, could not have chosen two more appropriate ministerial portfolios for Vin than youth affairs and small business. The Leader of the Opposition has already set out Vin's outstanding commitment to bettering the lot of young people. His voluntary efforts on behalf of the young people of Heidelberg were rightly recognised by his receiving the Order of Australia Medal.

Vin's commitment to small business was also part of his core being. As he explained to the local newspapers in celebrating his election to Parliament in March 1985:

> The good news is I have won. The bad news is I am now a public servant.

To understand Vin's support for small businessmen and women you have to understand his background.

From the time he graduated as a motor mechanic from the then Richmond TAFE he had virtually always been successfully self-employed as a mechanic, builder and property developer. He admired individual effort and the right of someone to get on in life without government interfering too much. This is what drew Vin to the Liberal Party. He was always very proud — and we were very proud — of his holding our only seat west of the Yarra at the time.

There were three other aspects of Vin that I will touch on briefly. One was Vin the environmentalist. As a young member of Parliament representing a green area like Warrandyte I could not believe my ears at my first party meeting when I heard Vin, who was a such a strong, shall I say, right-of-centre member of our party, because he was incredibly passionate about any piece of environmental legislation that came into our party room. It was very refreshing as a new member of this place to know that within the broad church of my party people were not stuck with just one philosophical label — they could be issues based rather than just right of centre or in-between or whatever. Nancy, when referring to Vin's electorate victory in 1985, was quoted in the local newspaper as saying:

> Vin has always loved Heidelberg with its beautiful trees and fought to protect the environment.

Vin was a true environmentalist.

There was also Vin the talker, as the Leader of the Opposition has noted. In an article that appeared in the *Herald Sun* of 5 December 1987 it was said:

> One of the main adjustments he has had to make involves the art of getting used to talking to walls, otherwise known as taking part in parliamentary debate.

The article quotes him as saying:

> The lack of interest in the parliamentary debate and the lack of people concerned at all with what you're saying is very, very soul destroying.
>
> I found that very hard, to stand up and talk to nobody, and I think it would be an interesting exercise for anybody out there to go into any room and talk to a wall, because that's what you're virtually doing. No-one listens, no-one is concerned.

As somebody said — it is in *Hansard*, do not ask me who reads *Hansard* — 'I often wonder does it really matter what you say up there'. Vin made up for that by talking to each and every one of us in the corridors of power whenever he could.

The final point about Vin I will make is that he had the most amazing relationship with a wide circle of people. Unbeknown to many members of Parliament is the fact that Vin hosted an annual barbecue for the media gallery at the Yarra River. Members of the gallery looked forward to Vin hosting that function. I put it to honourable members that very few colleagues could hold that type of function for members of the fourth estate — they often hold us in such high regard! But Vin really was able to bring the whole of the media gallery together, and they saw him as a knockabout sort of bloke who called a spade a shovel, and that is why they all attended his annual barbecue.

I extend my condolences to Vin's wife Nancy and their three children and grandchildren for the loss of a great, warm, tribal individual.

Mr LANGDON (Ivanhoe) — I join with other honourable members in expressing my sincere sorrow at the passing of Vin Heffernan. I wish to add my condolences to Nancy, Anthony, Jan, Susan and the grandchildren Samantha, Mia and William, to those given by the people of the Ivanhoe electorate.

As has been said in this house, Vin was the member for Ivanhoe from March 1985 to March 1996. I believe he was born at Airlie Private Hospital in Ivanhoe on 24 December 1935 and passed away on 15 November during the election campaign. The point has been made that the election stopped on that particular day, and I was honoured to be at the funeral and see many people there from all sides, all walks of life. It is a rare occasion when politics stop during an election campaign. Vin was the type of person who could do that to politicians — make them stand still.

Vin was the Minister for Small Business and Minister responsible for Youth Affairs in the first Kennett government from 1992 to 1996. I believe he was also shadow Minister for Small Business between 1991 and 1992. Much has been said and will be said in this house about that aspect of Vin, but that was only a small part of his life.

Vin was a Heidelberg councillor for 19 years from 1966 to 1985. Parliamentary politics may have been a passion of his, but his greatest passion was always Heidelberg, Ivanhoe and West Heidelberg, and he served the area as a councillor well. He never represented the West Heidelberg ward, but many people said he was the best ward councillor that ward never had! It was a ward for which he would probably never have been elected — being a staunch Labor area with the old Olympic Village in it and what have you — but that never stopped him representing the area. Vin worked tirelessly for the West Heidelberg area.

Vin had a service station on Southern Road in West Heidelberg, now Heidelberg Heights. Vin was an icon of the area. I do not know how old I was, either eight or nine, but I remember going to the 'Vin Heffernan service station'. We did not know it as the BP service station, we knew it as the 'Vin Heffernan service station'. Vin would come out and lecture everybody who was game to listen to him on politics, which was probably why he became so involved — in those days service stations were not self-serve, you had to go out and serve people. He had a cornered market and used it well. As I say, I can remember as a very young boy going to Vin Heffernan's service station — not many eight or nine-year-olds can remember going to a particular service station, but I certainly can — because my parents, grandparents and extended family used his service station.

Strangely enough, he was known as a Labor man by many people. People often told me that Vin had said, 'You know, I really am a Labor man at heart'. But it would be fair to say that Vin only said that to people from West Heidelberg — he never mentioned it to people from Eaglemont!

Vin was an extremely colourful character who loved the Ivanhoe–Heidelberg area. He was very passionate about all things to do with the area — from the Darebin Creek to the Yarra River. The Heidelberg–Ivanhoe area is in one of those electorates surrounded by natural waterways and forests — for example, only 20 years ago Darebin Creek was a dumping ground. Vin, through Sue Course whose name has been mentioned, put a lot of effort into restoring the Darebin Creek to what it should be and what it is today. Without the passion of people like Vin, that would not have occurred. It does not surprise me that yes, he was an environmentalist on perhaps the right of the Liberal Party, but he was passionate about the things he did.

I am also aware that Vin was a life member of the Heidelberg Football Club — again, in the heart of Heidelberg. Up on the wall of the clubrooms are pictures of Vin Heffernan. It is probably the most historical of the football clubs in my electorate, and Vin's name is very much associated with it. Again it shows the character of the person that he got involved in all aspects of the electorate.

I remember the 1996 campaign leading up to the election in which I was successful. While doorknocking I met a number of people who were perhaps more aged than the average person in the electorate, and they kept on saying to me, 'Vin used to be my paperboy'. I started to think, 'How many papers did this man deliver?'. He seemed to be the paperboy for everybody, and it was as the paperboy that he was known to the people of the electorate. Vin was exceptionally well known.

I think it has been said that Vin was the life governor of the West Heidelberg community centre. I do not know if the West Heidelberg community and legal centres would be there today if it were not for Vin's passion for West Heidelberg. He was an exceptionally passionate person for the less well off, and he showed that time and again. He knew it was an area that would not vote for him, but it never stopped him. That probably sums up the man more than anything else: he knew he was working for an area that would not vote for him, but he would still work for it, and he still wanted to show that passion.

I am very pleased to follow Vin as the member for Ivanhoe. As I said, he was an icon of the Ivanhoe and Heidelberg area. I believe if it were not for the Kennett government's plan to sell the Austin hospital — another icon — Vin would probably have been the member for

Ivanhoe for some considerable time. Obviously the two clashed — and hence history has been made.

Vin also serviced the electorate of Ivanhoe very well as a councillor for the City of Heidelberg. I believe he was the first councillor of the City of Heidelberg to be elected to this house. Two others followed — the honourable member for Preston and I were both councillors of the City of Heidelberg. Vin obviously led the way and showed us how to do it well.

I advise the house that I have been speaking to the Banyule council, the successor to the Heidelberg council. I think Vin did not really like the Heidelberg council name being changed to Banyule council. I am sure he fought loud and hard to keep it the same, but Vin was not necessarily always successful, although he was very passionate. The Banyule council and I have had some discussions about a reserve called the Viewbank Reserve. I have spoken to a few councillors — as you can imagine, as it is the time just before council elections one cannot guarantee anything — and I think the name Viewbank Reserve may well be changed to Vin Heffernan Reserve. For those who know the reserve — most of you do not — it has tennis courts on it, which would fit into Vin's background very nicely. An irony of life is that I have bought a house that backs onto the reserve, so I could well be haunted by Vin for the rest of my life! I am sure that would suit him just fine.

I have spoken to a few people in my electorate who knew Vin very well. One person who contacted me — Michelle Penson, the last mayor of the City of Heidelberg — knew Vin exceptionally well and followed him in many of his endeavours. I want to quote from a letter she wrote to me:

> Vin was full of life, his life was full of people. He was a people person. He was a passionate person. He was frustrated … by red tape and he struggled to always get around it. He had even said there was blue tape too!
>
> His passion was firstly for his family and he was so proud of his kids and Nancy's art. He was passionate about all youth but more particularly the youth of West Heidelberg.
>
> …
>
> He fought tooth and nail for the community centre of West Heidelberg …

And to him it did not matter that there were a lot of votes that could not be won in that neighbourhood. He wanted to help, and help he did.

> He believed in free enterprise and talked the businesses of West Heidelberg into assisting him in … jobs for youth. He shared his experience and love of life.

That is Vin. He did enjoy life, he loved life, and as the honourable member for Ivanhoe I commend his life to this house.

Mr COOPER (Mornington) — I am pleased to join this debate, which has been ably led by the Premier, the Leader of the Opposition and the Leader of the National Party. I am sure the tributes they have made and those made by everybody who has spoken so far and who will follow me will be a source of great pride to Vin Heffernan's family.

Those who went to the funeral for Vin will know that that was a magnificent tribute. It is rare to be able to say that St Patrick's Cathedral was full, but it was full that day. One of the things that impressed me so much when the funeral finished was seeing so many people in tears. Clearly people who had been part of Vin's life in some way or another were deeply touched by his life and deeply touched by his death.

Already we have heard people mention Vin's maiden speech, and I also want to touch on that before I resume my seat. But I did want to reflect upon the Leader of the National Party's experience with Vin playing tennis, because while I did not play tennis with Vin, I played golf with Vin. I have to tell you it was quite an experience. I prided myself — until I had my first game of golf with Vin — on being somebody who had developed his golf game without the benefit of lessons. To say that I developed it is perhaps too strong a word, but nevertheless I enjoyed my golf and Vin definitely enjoyed his golf. But Vin enjoyed more than just playing golf; Vin enjoyed coaching golf. So as you played a round of golf with Vin you got free lessons, and they were always given out — the tips, the comments that he made and everything else — based on trying to lift your game and to help you. There was never anything derogatory about them.

I noted with some degree of concern that the Leader of the National Party said that Vin would come back and make comments after beating him at tennis. That never happened with golf. Vin had enormous enthusiasm — enormous enthusiasm — for his game. He loved having people as his guests at Sorrento Golf Club, and while the golf game was fantastic and very enjoyable, after golf was even more so. He was a great character, he was great company, and he was always friendly and helpful.

I first met Vin in 1984 when we were both preselected by the Liberal Party to run at the election which was held in early 1985. I met him when the Liberal Party organised a function to introduce a whole raft of new candidates to the media. I was summoned by one of the

senior members of the party to a group that consisted of three or four, one of whom I recognised as an *Age* journalist — who is now a member of this gallery for a different organisation — and a fellow who was introduced to me as Vin Heffernan. I had never ever in my life felt that I lacked enthusiasm, but when I came up against Vin I felt like the absolute wilting flower. He was so passionate about the fact that he was going to run for Parliament, he was so enthusiastic about it and he was so confident about the outcome. He was quite happy to tell the journalist from the *Age* that on election night, whenever it was held, 'You watch, the biggest swing in the state to the Liberal Party will be in the seat of Ivanhoe'. He was quite convinced about it, and we were all standing there goggle-eyed listening to this enthusiasm. The biggest swing in the state to the Liberal Party was not in Ivanhoe, but there was a swing and it was one that got Vin into Parliament.

Then on 17 April 1985 Vin made his maiden speech. The Minister for Transport is quite right; it is a speech that could be made by anybody from any side of this Parliament. We would all be proud to be able to say some of the things and make some of the predictions that Vin made in that speech that actually did come true — and which were very radical, perhaps, for 1985. Already we have heard of the way he touched on the youth, the unemployed, the single-parent families, the elderly — all the way through his speech was very much a social justice speech.

Perhaps the most telling thing for me was when I got to the end of the speech, where he quoted the words of Abraham Lincoln. To me they are about the essential Vin Heffernan, and I want to again put that quote on the record. Abraham Lincoln said:

> You cannot bring about prosperity by discouraging thrift. You cannot strengthen the weak by weakening the strong. You cannot help the wage earner by pulling down the wage payer. You cannot establish sound security on borrowed money alone. You cannot build character and courage by raking away man's initiative and independence. You cannot help a man permanently by doing for him that which he can and should do for himself.

Vin Heffernan was that man.

Mr LONEY (Lara) — It is a privilege to make a few remarks in memory of Vin Heffernan. I had the pleasure of being Vin's parliamentary shadow from around the end of 1993 to the 1996 state election while Vin was, of course, the Minister for Small Business and Minister responsible for Youth Affairs. It was indeed a pleasure to be Vin's shadow, because he was a very generous and good-humoured man who enjoyed helping others, and that flowed over to his relationship with his shadow ministers. He was also a man who was respectful of others and their views.

I was interested in the remarks of the honourable member for Warrandyte in quoting Vin's view about no-one listening to speeches in this place. That certainly was not true of Vin: he would actually listen to the speeches of others in this place. I remember one occasion as his shadow when I was asked to come in, as we are sometimes in this place, because the Leader of the Opposition was out on business and we needed to ensure that things kept going until he got back. I was asked to ensure that the bill was examined in a fair amount of detail. I was rolling along, examining the bill on probably the third occasion in great detail, when the doors burst open and the Premier, the Honourable Jeff Kennett, came into the chamber, marched up to Vin and asked him bluntly what was going on. Vin simply turned around to him and said, 'It's all right, Jeff; he knows what he is doing', and we continued on. That was Vin: he was prepared to listen to others and to give others an opportunity.

Through that period as his shadow I came to know Vin well, and I found him to be a person of great decency and values. He believed in many things, and he believed in them passionately. I had the pleasure in recent years, once Vin was out of the Parliament, of catching up with him on a regular basis for a chat. As has been said, Vin never knocked back the opportunity for a chat, and usually I would do so in the company of the Irish mafia referred to elsewhere, Pat McNamara and Tony Sheehan. They were always enjoyable times, made so by Vin's storytelling. He had a great way of telling stories, and he would often regale us with tales from the mythical memoirs he could have written had he so desired.

Vin was a lovely man who enjoyed people. He had strong principles and values, which were always expressed with warmth and good humour. I always found him a thoroughly decent bloke. I will certainly miss bumping into him around this place on occasions such as those, and I am sure other honourable members will too. I pass on my sympathies to his wife, Nancy, and his family.

Dr NAPTHINE (South-West Coast) — Madam Speaker, congratulations on your elevation to the position of Speaker.

When I think of Vin Heffernan I think of a person who was an absolute enthusiast, who was absolutely passionate, positive and an eternal optimist, and who was absolutely committed to making a difference in everything he did — and he was a person who did

make a difference. He made a difference to many individuals, whether they were in Heidelberg or across the state of Victoria. He made a difference to many families, and he made a difference particularly to his community — the community he represented and the community of Victoria.

Honourable members have spoken about his inaugural speech. I think they have spoken about that speech because it epitomises what Vin Heffernan stood for. He was a person who passionately cared about those people in our community who were in need. He spoke about older people in our community, and he spoke about the need to improve services for older people in his area of Ivanhoe and Heidelberg. He spoke about the unemployed, particularly the young, who needed an opportunity in life. Honourable members will remember that that was in 1985, when there were very high levels of youth unemployment and many young people were leaving school without the opportunity to seek employment — in particular to seek a trade — and were frustrated about their future.

He spoke about single-parent families, as someone mentioned before. He talked about 1000 single-parent families in his electorate with real concern and passion. At the same time he also stated his belief about the direction that should be followed in terms of solving some of those problems. He made it very clear in his speech that government spending needed to be curtailed and better targeted. He railed long and hard against bloated bureaucracies, red tape and things that stopped small business driving the engine room of growth. Indeed he made a number of comments such as:

> When will governments learn that the stimulus of private enterprise is the only way in which we can produce a satisfactory result?

When talking about government waste he said:

> One can imagine the tremendous stimulus funds of that magnitude would create if they were invested in the private sector, in research and development, reducing on-costs, payroll tax, workers compensation and so on.

He talked with passion about the needs in his community and the needs of individuals and groups in that community, but he also talked with absolute passion about some solutions, such as stimulating and getting off the back of the private sector and encouraging opportunities and economic growth.

The honourable member for Mornington, when he quoted Vin's quote of Abraham Lincoln, summed up what Vin Heffernan was on about — and I endorse that wholeheartedly. When Vin was concluding his maiden speech he said:

> Private enterprise is the only solution to a long-term economic recovery. I make it quite clear that I support the private enterprise system.

You could not have had anyone more passionate or more supportive of the private enterprise system. However, he did not see it as an end unto itself but as the engine room to drive opportunity for individuals, drive opportunities for families and drive the economic growth that was needed to fix the issues that were broadly encompassed in the social justice agenda that he had.

I had the honour to follow Vin Heffernan as the minister responsible for youth affairs in 1996. I can tell the house that as I went around Victoria, time and time again individuals, groups and organisations told me of their meetings with Vin Heffernan, how he listened to their concerns and how as a minister he responded very positively to those concerns.

I will give one example of how Vin Heffernan made a real difference, and a difference that is ongoing. The Visycare centre at Dandenong, which is an absolutely magnificent complex, is providing integrated services in a one-stop-shop for young people at Dandenong, particularly young people at risk. That came from work that Vin Heffernan did, together with Richard Pratt, the former City of Dandenong, and the local community, but very much driven by Vin Heffernan's enterprise and initiative and his ability to bring the private sector and the community together to deliver a positive outcome for the people of Dandenong, particularly the young people of Dandenong, and especially the young people at risk in Dandenong. The Visycare centre itself stands as an enormous testament to the hard work, dedication and commitment of Vin Heffernan.

Vin Heffernan was an enthusiast, he was passionate and he was a person who really did make a difference in his community life, in his parliamentary life and in his role as a minister. I extend my sympathy and condolences to Nancy, Anthony, Jan and Susan, and their families.

Mr LEIGHTON (Preston) — It is a privilege to be able to make a contribution on this condolence motion to respect the life and memory of Vin Heffernan. I first met Vin in the late 1970s and then got to know him quite well upon my election to Heidelberg council in 1980. Vin was one of the most decent people I have ever met in public life. However, during my time on Heidelberg council I also realised that he was really great fun to be with.

In those days we had a large council comprising 15 councillors and, unfortunately, the ALP councillors only ever numbered 5 or 6, so invariably there would be

a couple on our side, if they had had a bad night, who at the end of the night would take their bat and ball and go home. We would sit quite late — often until 1 o'clock in the morning — and then we would go into the supper room, and invariably there would be three councillors left — Vin Heffernan, myself and Ross Christie, who may be known to some of the older members on the other side as the son of Sir Vernon Christie, a former Speaker of this place. While I stuck to beer, Vin and Ross would, during the early hours of the morning, knock over a bottle of Scotch, and Vin would regale me with stories of how, in the preselection leading up to the 1973 state election, he had been Ross Christie's numbers man or campaign manager against Bruce Skeggs, and how he continually said to Ross, 'Don't worry. You're right. We've got this sewn up'. To their horror, Bruce knocked off Ross Christie.

How the circle turns. A number of years later, it was Bruce Skeggs, having lost the seat of Ivanhoe, who came back to the Legislative Council via Heidelberg council, so it was certainly an interesting council in those days with a number of members of both the Liberal Party and the ALP about to be elected to this place.

Indeed out there early this afternoon I bumped into another former Heidelberg councillor, Peter Clarke, who also has an interesting election on his hands at the moment.

An honourable member interjected.

Mr LEIGHTON — Peter Clarke insists he has never lost an election, but I do not think he really wants my endorsement.

During my time with Vin on Heidelberg council there were two areas that I particularly remember him for. The first is the Darebin parklands. At that time the Darebin Creek was not much more than a sewer, and we were going through the process of reclaiming it. It was really before it was accepted that all levels of government, particularly local councils, should put a lot of money into the environment, and while that was a passionate cause of many of the ALP councillors, Vin was critical in ensuring there were enough members of the Liberal Party to ensure a bipartisan position on Heidelberg council and substantial support in reclaiming that land. I believe the state of Darebin parklands today is a legacy of Vin's.

As a number of other members have commented, he also did a lot of work in and around the West Heidelberg area. I remember the enormous amount of voluntary time he put into the West Heidelberg community health centre.

When the Liberal Party endorsed him in 1984 to stand against Tony Sheehan, the sitting member for Ivanhoe, I know there were some on our side who pooh-poohed the choice of Vin as the Liberal Party candidate. I think they were expecting somebody more from Eaglemont or East Ivanhoe to stand and saw somebody like that as typical of the Liberal Party. So there was a tendency on our side to pooh-pooh, but I have to say I was surprised that the Liberal Party could make such a clever choice. That was reflected in the result in 1985, where because of all the work Vin had done with the Darebin parklands in West Heidelberg — I suppose people would vote for the Greens these days — the battlers all switched their vote and voted Liberal, and got Vin up.

In the 1991 redistribution West Heidelberg was taken out of my electorate of Preston and put into the Ivanhoe electorate. That caused both Vin and I grief. I think we both would rather it had stayed in Preston. It gave me a very difficult preselection contest, and meanwhile, as has been commented on, it was the reason why Vin ultimately lost Ivanhoe. He was chatting to me privately — and I think he would not mind my saying this — and he was quite candid. He said, 'That Ivanhoe electorate on the new boundaries with West Heidelberg is in a natural Labor electorate. I will win it this time because you guys are so on the nose, but I'll lose it the following time', and he was quite right. He held it comfortably in the 1992 election but went on to lose it in 1996.

Like the honourable member for Lara, I also had a period of shadowing Vin between 1992 and 1994 in small business and youth affairs, and the longer serving members here will remember those horrendous nights in October and November 1992 where we sat all night. For some reason we discovered it was necessary to debate the shop trading hours at length. I think it must have been about midnight or 1 o'clock in the morning when Phil Gude came to me and said, 'If you don't wind up now, I'm going to guillotine it'. With encouragement from me, Vin said, 'It's okay, he's nearly finished. We're about to go into committee'.

The moment we got safely into committee we started the debate all over again, and by 5 o'clock in the morning Vin was leaning over the table to me, saying, 'Do you realise I have to address a Rotary breakfast at 7 o'clock this morning?'. In some ways he almost took it personally. Given that we had always had a good relationship, he could not see how I could put him through the wringer at 5 o'clock in the morning.

An honourable member interjected.

Mr LEIGHTON — The last time — —

Mr Doyle interjected.

Mr LEIGHTON — You remember it, do you?

The last time I saw Vin Heffernan must have been during the winter recess last year. My 11-year-old daughter and a school group had come in here, so I came in to meet them. Just as they were about to leave, I saw Vin walking towards me with another guy. I did not even bother looking at who the other guy was. I saw Vin. I went up to him and shook his hand, and all these 11-year-old schoolgirls started screaming. I am thinking, 'Gee, Vin, you're popular'. It turned out he was with Eddie McGuire.

I also attended the funeral on 22 November. St Pat's cathedral was packed out. I think what was noticeable was that, as well as his own party, there were so many serving and former members of the ALP who attended during the middle of a state election campaign. I think that is a mark of the respect he was held in as much by our side as his own side. It was a privilege knowing Vin Heffernan. He was a decent man. As has been said, he was passionate about life. I would like to express my sincere condolences to his wife, Nancy, and his family.

Ms ASHER (Brighton) — I too would like to contribute very briefly to the condolence debate on Vin Heffernan simply because I followed him as Minister for Small Business and I was particularly grateful for the help he gave me in the very difficult early days of my being minister.

Vin's career has been covered adequately by previous speakers — that is, his having been the honourable member for Ivanhoe, the Minister for Small Business and Minister responsible for Youth Affairs in the first Kennett government, and a shadow minister prior to that; and a long-term councillor of the City of Heidelberg and mayor of that city as well. I wish to make a couple of observations on Vin as a person, not particularly adding anything new to what has been said but to reiterate some of the characteristics that I knew about Vin as a fellow parliamentarian.

Firstly, he was passionate. He was passionate about many things. He was passionate about small business and the private enterprise system; and I am not so sure — although the honourable member for Ivanhoe's claim was in jest — that Vin was really a Labor man. I think that if you look at some of those comments in relation to his belief in the capacities of the private enterprise system, they earmark him very firmly as a committed Liberal.

His background was one of self-employment, and he had a view that if he could do it, others could do it. He was committed to allowing pathways of opportunities for kids of underprivileged backgrounds to have those same opportunities for self-employment and self-advancement that he had had. He was chair of the Small Business Advisory Network, in which capacity he gave me a lot of particularly good advice, normally in relation to reduction of red tape and, very bluntly, what small businessmen actually felt during my jurisdiction as minister.

He carried also a passionate commitment to young people, which has been mentioned in this chamber. In 1983 he was rewarded with the Medal of the Order of Australia for his work with youth. He would of course not have regarded that as a reward for him but simply an acknowledgement of work that needed to be done in the community.

Vin was also particularly smart. I think the fact that he ended up as the minister for his two passions, small business and youth affairs, just showed how politically smart he was within the machinations of the Liberal Party. He was also particularly passionate about his local community and, of course, his family. He was a man who had old-fashioned values. He believed in hard work. He was an early riser and liked to tell us that periodically, and he had a hands-on approach to running a bureaucracy. One of his pieces of advice to me was to get up early and go into my public service department at 7.00 a.m. He informed me that I would find no-one there, and the first few in I should promote. That was his attitude to running a bureaucracy, and I have to say that with those he did encourage he chose particularly well.

He had a very matter-of-fact style, and I note that he said very bluntly in his first speech that any politician who stands up today and says he will guarantee a job is either naive or completely removed from the real world. The real world mattered very much to Vin Heffernan — no airs, no graces, no rose-coloured glasses and no finery. As has been said, he was just a very matter-of-fact, decent, humane, good bloke. I think it is fair to say that the full force of the 1970s feminist revolution did not impact hugely on Vin Heffernan. He was a man's man who did not pull any punches and said it the way it should be.

I also pass on the condolences of my husband, Ron Best. Vin and Ron were both Heidelberg boys, and Ron will dearly miss his golf with Vin Heffernan. I

remember the first time I saw Ron's diary with a commitment with Vin where it said 'Pasture inspection, Vin Heffernan'. I naively said, 'Why is Vin helping you with National Party policy?', until it was explained to me that 'pasture inspection' was code for 'golf'. I am sorry, but I see I have divulged a secret! Both Ron and I pass on our condolences to Nancy and Vin's family.

Mr SEITZ (Keilor) — Speaker, I congratulate you on achieving your high office in this Parliament.

I am one of the members of Parliament who came into contact with Vin, or Vinnie, as he was known here. Vinnie was quite an inspiration to deal with and talk to, even when he was in opposition when he was first elected. When he became a Liberal government minister he continued to mix with members from all sides of the house. It made life in that era of the Kennett government quite pleasurable — to talk to a minister who listened and took note of people's needs.

I describe him as a community politician because that is what Vinnie really was. In this place he kept a bridge open between both sides of the house by mixing with the people, by having a talk or by having a cup of coffee outside on the balcony at different times. You could talk to him on the real issues on both sides, and he would listen to you and express an opinion and take it on board. And in taking it on board he was actually taking action on some of the issues we have raised.

He had said at times that in his youth he was a Labor person, and probably in his heart he was thinking Labor, because some of the issues, seen from our side at the time in opposition, were similar to some of our policy, except that his approach and style in achieving them were different. For those reasons I stand here to show my respect for Vinnie Heffernan, to say that he contributed to this place. I also say to the newcomers that they should listen and take note of what Vinnie did, because it is possible that we can advance the needs of the state of Victoria collectively from both sides of the house and work for the betterment of all people, as Vinnie did, whether they were part of his electorate of Ivanhoe or part of his ward in Heidelberg when he was a councillor.

When he was nominated was when I first began to find out something about him and his activities as a councillor in Heidelberg, working right across the municipality trying to help people. That is very commendable, so I think that Nancy and the children should be very proud of Vinnie Heffernan and have a cherished and fond memory of him. I am sure they have, as I have, with my short contact with him here in this Parliament. I extend my sincere condolences to the family.

Mr WELLS (Scoresby) — Vincent Patrick Heffernan, who was born on 24 December 1935, died on 15 November 2002. Before entering politics I had heard about Vin Heffernan and the work he had done for youth communities in the Heidelberg and St Kilda areas. When I first met Vin as a candidate in 1991 it was like being hit by a bulldozer racing over you, and when you were just about to get up he hit you again. His energy and enthusiasm were extraordinary. He had a strong, genuine commitment to youth, not one that lasted as long as the media were interested but one that needed a final outcome to existing problems.

Rowville in my electorate had a huge youth population. Vin knew this and wanted to ensure that youth services were available in the area. The Rowville Uniting Church contacted me to discuss an application to the state government to expand the church to incorporate a family and youth centre. Vin agreed to accept a deputation because he thought the idea had great merit. He explained to me as a new member that we needed to go through a very careful, well-planned and well-thought-out strategy in order to get the funding pushed through. Vin advised me that he would receive the deputation from the church, listen very carefully to what they had to say and at the conclusion of the meeting would agree to visit the site in Rowville. He said he would also agree to meet with church representatives at the conclusion of the site inspection. Vin went on to advise me that following this process he would discuss it with the regional youth committee for the outer east to ensure that the church's plan fitted in with the overall strategy. I went back to the Rowville Uniting Church to say that it would be a longwinded, bureaucratic process but that I was confident the funding would be successful.

The big day arrived, and I led the deputation to meet the Minister responsible for Youth Affairs, Vin Heffernan. We sat there waiting with bated breath for the minister to enter the room. A couple of minutes later, in walked the minister. He sat down and said, 'Right, what is this all about?', to which the Rowville Uniting Church minister, Kim Cain, said, 'Minister, we are here to seek $30 000 as a contribution to building a family and youth centre'. Before the deputation could open their paperwork and show the minister their plans, Vin pointed individually to each person and said, 'Done, done, done; your request has been granted. Well done!'. So a well-thought-out and well-planned strategy which was going to take a couple of weeks was over in 10 seconds! Vin's good-natured impatience had got the better of him.

In 1995 Vin insisted I take up a position on the board of the Victorian Homeless Fund. I still remember the conversation we had when he asked me. It lasted 10 minutes and I did not get a word in edgeways, but his final sentence was, 'Great stuff, Wellsy, I will let them know you have agreed'.

We on the backbench could always tell when Vin Heffernan was about to get a question without notice, because his hair would be combed with great attention to detail — the only time his hair was combed with great attention! In full flight Vin reinvented the word 'theatrics'. It was something great to see.

When Vin was defeated in 1996 it was a great loss. He was a man very dedicated to helping others and dedicated in his love of Parliament. But in politics that is life, and you move on — and Vin did. But we often saw Vin around the Parliament with his two Irish mafia mates, Pat McNamara and Tony Sheehan.

Vin was incredibly good at playing practical jokes and could easily embarrass you at the drop of a hat. He maintained a real twinkle in his eye, and you were never really sure whether he was pulling your leg or being real. The constant telephone calls would always start with, 'Wellsy, my son, it's Heffernan. Why don't you …' — and the call would go on. I will really miss those.

Always ready to solve the world's problems but always ready to listen to the other side of the argument — if you could get a word in — Vin Heffernan was larger than life. You could not help but like this tearaway larrikin. I suspect that his never-ending energy at times would have driven his wife, Nancy, nuts! He will be remembered by all of us in Parliament who knew him. I am sure he will already have fully reorganised heaven and be starting to offer advice on solving problems.

I extend my sincere condolences to Nancy and Anthony, Jan and Susan and their families.

Mr BAILLIEU (Hawthorn) — Vinnie was a blazing light, and he was bloody good fun to be with. Vinnie had a fire in the eyes, a fire in the belly and a fire in his speech, and there was a warmth about him that was really irresistible. I would say, and I am sure Nancy will agree, that Vinnie was a very hard bloke not to love. He will be horribly missed.

Vin Heffernan never stopped smiling. I was chatting to a friend today who knows the family extremely well, and she described Vinnie as pathologically friendly, which I thought was the most apt description. He was a wonderful bloke, just pure effervescence at every turn.

Vinnie never stopped planning, whether it was on the council or as mayor, in his business enterprises, in this place or even out of this place — and probably particularly out of this place! I think there are probably a number of members who joined this Parliament after the 1996 election who thought Vinnie was still a member of Parliament. He was here that often in the stranger's dining room, and he was always planning. There was always something he had in mind. In fact Vinnie was always planning to get back into this chamber. He would have been delighted to be here now, taking up the challenge we have in front of us, because he never stopped fighting for the causes he believed in, whether they involved young people, small business enterprises or whatever. To me he was a never-knock-him-down sort of bloke. He loved a challenge, and he was quintessentially a Liberal — and he was quintessentially a family man as well.

Vinnie's approach to politics was to put people first, not the party. His dear friend Barbara Temby, who ran all those campaigns for him, always reminded us that it was Vinnie who got elected in this seat and that it was Vincent Heffernan we should be promoting, and that was always true in Ivanhoe.

I got to know Vinnie well in a variety of ways, particularly in my roles in the Liberal Party before I came to this place. I have an abiding image, one of my early recollections of Vin in politics, involving the Ambassador Hotel in Geelong — and it is a story that has been told before. In the hotel room after one of our conferences, there stretched out on the double bed with his shoes on was Vinnie, with Roger Prescott sitting on the end of the bed and Jeff Kennett sitting on the window. In those days the Ambassador Hotel did not have any devices which stopped the windows opening. At one stage Jeffrey nearly tumbled out the window. Perhaps things would have been incredibly different had he tumbled out the window, but I can assure you that Roger and Vincent were firmly sitting on the bed!

Vinnie suffered a few challenges for preselection, and one of those was deemed in advance to be fairly contentious. Some of us were a bit nervous that Vinnie might miss out, but I can assure you that he had it all well organised, and Barbara served him extremely well in the process.

Vinnie was very good at what he did. He was a very good fundraiser. I remember going to a fundraiser for a colleague — just a small, quiet dinner. It was a Liberal Party fundraiser, and a fairly expensive one. There were not many people there, but I was staggered to find Liberals, National Party people and Labor Party people there.

Honourable members interjecting.

Mr BAILLIEU — I wouldn't name them, but some of them are still bringing in good money.

Vinnie was absolutely rapt to become a minister and, as others have said, he could not have been more pleased than to be Minister for Small Business and Minister responsible for Youth Affairs. He loved the job; he loved the opportunity it gave him to do the things that he thought were incredibly important — in particular, the deregulation of small business. Wouldn't he be wretched at the prospect of the changes ahead in the small business arena in terms of shopping hours now? Vinnie would be up there fighting hard to maintain the status quo.

He loved the job. He loved getting up and motivating people. He was a great talker, as others have said, but he was also a great speech-maker. He could motivate a group in no uncertain terms. The only thing Vinnie could not do is read a speech. He hated reading a speech — he hated the discipline of reading it and sticking to the script. Vinnie was in his element when he was flowing freely. When he was flowing freely there was fire and there was thunder, and he was a joy to be with.

I also remember Vinnie in another role. If roles were reversed — had I expired before Vinnie — I am sure he would have taken this opportunity to tell this story, because I have never had a conversation with Vinnie in the last 15 years which he has not commenced with, 'God, you're a shocking golfer!'. Unlike others, Vinnie reminded me all the time that he once beat me at golf — only once — and satisfied himself by reminding me every time he saw me. In fact I always found on the golf course that Vinnie was the Jack O'Toole of golf. He had a swing like an axeman, and I found that if you watched it you could ruin your own game. So when I played golf with Vinnie I shielded my eyes from his swing to protect my own game. He challenged me a number of times to perform on the golf course and laid a few bets, and on one celebrated occasion he did me good and proper — and I have heard about it ever since.

As I said, Vinnie would be horrified at the situation now with politics in Victoria. He would see this as an incredible challenge; he would have been delighted to be here taking it to the government.

I am confident that he is in touch with his new surroundings. I am confident that Vinnie has already booked a tee time with the Lord. He has probably struck up a pretty good partnership, and they will be playing knock-out comps for a long time to come. I imagine that Vinnie is probably already plotting the downfall of the government in some way or another. I am sure, as the honourable member for Ivanhoe said, that he will be haunting the honourable member for Ivanhoe, both in a good-natured way and with good intent. I am looking forward to receiving Vin's advice through whatever starry, starry night he is now a part of.

I know that he is incredibly well loved and remembered in his family. To Nance, Tony and Louise, Sue and Jan and the grandkids that he loved, I pass on my sincere condolences. I was reminded by the friend I spoke to today that Vinnie was such a good family man and was so well regarded by his children's friends that at some stage at the school his daughters attended they voted Vinnie the best father in the school. It is a glorious tribute to a glorious man.

Sitting suspended 6.34 p.m. until 8.02 p.m.

Mr DIXON (Nepean) — It is a great honour to join this condolence motion for the Honourable Vin Heffernan. I offer my condolences to Vin's family and friends.

Over the years I have had a few connections with Vin. As the honourable member for Warrandyte said, Vin was rather tribal. One of the tribes I belonged to was the West Heidelberg tribe. I am one of three conservative MPs to come out of the working class suburb of West Heidelberg; the others being Vin and the Honourable Ron Best, a former member for North Western Province in the other place. Of course, there is also my colleague from the other side, the present honourable member for Ivanhoe. We had a lot in common there.

The Heffernan garage was mentioned. It was a bit of an institution in West Heidelberg. We could not afford a car, so we never visited it, but everyone knew about it and knew that was the place to have your car fixed, get your petrol or have a long chat with one of the Heffernans.

Vin's brother Mark is my accountant, and has been for many years. When we finally got around to doing my tax it was always preceded by a long chat about what Vin had been up to. Mark and his family were very proud of Vin, his achievements and the person he was. I know Vin just loved and adored his family as well.

As a minister Vin showed great compassion. In the early 1990s my sister was setting up an emergency accommodation shelter for young people in the Heidelberg area, and of course she went to Vin. Even

though he was a minister, Vin spent a lot of time considering where the shelter would be. He went with her to look at a number of sites personally and saw the issue through with her. She could not get over the cooperation, enthusiasm and support that Vin showed for her project, which was after all for the young people of the area that he so loved.

When Vin was defeated in 1996 I think he was quite devastated. As the honourable member for Preston said, it was in the back of his mind but the reality devastated him. He always said the issue over the Austin Hospital was the thing that did him.

My connection with Vin then moved down to my electorate. Vin and his family had a holiday house at Sorrento. He often played golf down there, and in his retirement from Parliament he found a lot more time to hone his skills on the golf course. He then became a local branch member as well, so I often ran into Vin at branch meetings.

You always expected one or two questions from Vin, but mainly it was a good chat and a good discussion, in fact a good lecture, on what I should be doing, what the issues were and how I should be tackling them. He had an incredible amount of wisdom, and I was always very keen to listen and learn from Vin.

He could not get it out of his blood, and in 1999 Vin ran for preselection for the upper house seat of South Eastern Province. He really loved being a member of Parliament. He wanted to get back into this place, although it be in the other chamber, because he wanted to do more for the community. And this time his focus was on the community of the Mornington Peninsula, not so much the Heidelberg area. It would have been great if he had won that seat and gone on to be a member of that place, because I would have had a great, close working relationship with him as my upper house member, and this place and the state would have benefited a lot from his continuing input.

Finally, Vin was someone whose example all of us in this place should aspire to. He was a person of great passion and was compassionate, hard working and loyal. They are ideals we should all aspire to. The St Patrick's Day dinner next month will not be the same without him.

Mr THOMPSON (Sandringham) — Vin Heffernan was a person who was in many ways larger than life. Two days after he lost his seat in this chamber he fulfilled a commitment to speak in my electorate, and at that stage he outlined his political values and philosophy in the face of a defeat that was a great disappointment to him.

He was keen spirited and enthusiastic, and a natural orator with a rare zest for life. Vin was also a very keen problem solver, especially, as has already been touched upon in this chamber, in areas ranging from politics to the tennis court and the golf course. He generally relied upon the wisdom of his mother, who, if I recall correctly, brought up six children. He had the simple philosophy that you did not need 25 government inquiries and a roomful of reports to work out what was right in the administration of youth affairs, he would just contact his mother and find out what she might have done in any such circumstance.

Vin had a very practical wisdom. He also relied upon his experience in small business to solve problems, and in doing so he drew attention to the need for there not to be so much red tape. That phrase was I think coined in Canada in the early 1970s. It came into vogue and was very much part and parcel of Vin's approach, which was to simplify matters, to get to their essence and not to waste time — to solve matters directly.

On one occasion after he came to office he visited, as I understand it, an agency in his electorate and sought to find out what it did. As I recall, it was suggested that the agency helped homeless children. He said, 'But what do you actually do?'. The reply was repeated on two further occasions, whereupon he asked, 'How do you actually help them?', and they said, 'Well, we refer them to the Salvation Army down the road and it provides accommodation'. Vin was very keen to cut straight to the heart of the matter and he thought that he perhaps had better channel the money straight into the Salvation Army, which would bring about a swifter outcome.

He also had occasion to work as a consultant following his retirement from politics, and I recall one trip to Canberra on a plane leaving Melbourne where he had really solved the destiny of the Liberal Party in the first 10 minutes and then entertained me and those in the surrounding seats with his views on a broad range of matters in life.

Mick Young, a Labor Party identity and a former federal minister, had the view that there were too few Labor Party people in Canberra who had ever had to wash their hands with Solvol. Vin Heffernan had very proudly washed his hands with Solvol and had a very broad life experience which enabled him to help his constituency at the local level and further afield. I seek to convey my condolences to Nan and the family of Vin on the occasion of the condolence motion.

The SPEAKER — Order! I call the honourable member for Bass, and in calling him I remind the house that speaking on the condolence motion does not affect people's right to make an inaugural speech.

Mr SMITH (Bass) — I must say it is a great pleasure for me to talk about Vin Heffernan because I had a great feeling about Vin. He and I came from a background in small business, in which we were real believers. I have heard ALP people speak here tonight about Vin Heffernan and his Labor thoughts. We often refer to Labor Party people as true believers, and I think Vin was in fact a true believer — a true believer in cutting red tape and in making some effort to look after young kids.

I went to Vin's funeral, and I must say it was a very moving ceremony. As were most members, I was put in a seat up front. It was not until after the ceremony when you walked out that you saw the many people who were there. As my colleague Robin Cooper said, the number of people who had tears in their eyes was amazing.

Vin was a great bloke, a real man's man. He could mix it with the best of you and he could really enjoy life. You could enjoy Vin's company out in the bar and you could enjoy Vin's company at golf — if you, like me, could turn off your hearing aid! He was, as has been described, a great tutor for golfers who thought they were doing all right and then found they were not doing quite as well as they should have been. It was a fact that you were never putting properly, that you could not drive properly because your feet were not quite in the right place and that you had not got your swing back far enough. I learnt a lot from Vin — I am still playing off 36 now!

An Honourable Member — You are coming in!

Mr SMITH — Yes, I used to play off 26! Vin was an excitable person. He was full of enthusiasm for the things he believed in — and he believed in lots of things. We have heard about many of those today. He was the epitome of small business. He was a person who would really get into it. He was the sort of person who knew that if you worked hard you could achieve and that it was worth while working for, and he took that attitude through his parliamentary career and afterwards as well. He was a councillor, certainly, in Heidelberg; but he was a commissioner in Nillumbik. I reckon Vin would have had Heidelberg working terrifically. He would not have liked all the red tape. He would not have liked all of the bulldust that goes on in councils. He would not have liked the bureaucracy there. I reckon he would have been questioning the officers, and he would have loved it as a commissioner because he would have had a chance to make a real difference in cutting the red tape and the work of the minor bureaucracy that is unfortunately in local government. I am sure Vin would have liked to have sat back and watched the TV show called *Grassroots*. He would have been sitting there and absolutely fuming at what some of those council officers did and, more importantly, what the councillors did not do. Vin was a great bloke.

I served as his chairman on the bills committee when he was shadow Minister for Small Business and also when he was Minister for Small Business. I had a fair bit to do with him during that time. We used to chew the fat a bit about different things to do with small business and how we were going to cut the red tape. He used to say, 'Let's get rid of the red tape that is strangling small business'. It happened all the time, and it still happens, but Vin did his best to try and cut that red tape when he was the minister. He did a lot in putting legislation through this place to allow small business to thrive, and for that he is to be admired.

We are all going to miss Vin. I have a press article here which I think sums him up. It is from the *Herald Sun* of 27 January:

> He claimed this insight also left him with little doubt about what was needed for small business to thrive.
>
> 'There's nothing like it, you've got to work hard,' he said.
>
> 'Don't let anyone tell you that running your own business you don't work twice as hard as anybody else. It is hell, but the rewards are there provided you work.'

And he was right: the rewards are there. He worked hard all of his life in small business, and he did us a favour when he became a member of Parliament and was able to bring that experience and expertise into this chamber and certainly into our party room.

The article goes on:

> In true Liberal Party fashion Mr Heffernan said the role of government was to stay well out of the way of small business.
>
> 'Government's role is to act as a catalyst for small business,' he said.
>
> 'It's not the role of government to be financially backing certain businesses as winners.'

And that was the way he thought and the way he went through his business life and his work as a minister.

Vin was a great talker. My belief is that he has not quite made it into heaven. He is still standing up at the Pearly Gates and is talking to St Peter. He could have got in,

but no, he is probably telling St Peter about his golf swing. He is probably telling him about how he is going to improve things on the golf course up in heaven, and that is where he is headed. There is no doubt about that.

I thank Vin for his support because I had a fair bit to do with him in the run-up to the election for the Bass district. We talked about issues, and I had his total support, and I am so grateful for that. It really hurt me when Vin passed away on 15 November, and I think it hurt all of us.

I pass my condolences on to Nancy, Tony, Jan and Susan and to Vin's grandchildren. May he rest in peace. We are all going to miss him.

The SPEAKER — Like a lot of honourable members in this chamber, I did not know Vin, but from the tributes that have been paid to him this evening by honourable members on all sides of the house he certainly sounds like the sort of person you would like to know. From what has been said about him tonight, he was obviously a great community representative for the people of Ivanhoe and Heidelberg. Tributes have been paid to him in his role as both a councillor and a state member, as well as for his work with the many community organisations he was involved with. They all show him to have been an extremely hard worker and a dedicated community person.

Therefore on behalf of all members of Parliament I express condolences to Nancy, his children and his grandchildren. We can say that Vin will live in the hearts of many honourable members for many years to come.

Hon. Cyril Thomas Edmunds, AM

Mr BRACKS (Premier) — I move:

> That this house expresses its sincere sorrow at the death on 3 February 2003 of the Honourable Cyril Thomas Edmunds, AM, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral districts of Moonee Ponds from 1967 to 1976, Ascot Vale from 1976 to 1985 and Pascoe Vale from 1985 to 1988, and as Speaker from 1982 to 1988.

Sadly, the Honourable Tom Edmunds passed away on 3 February after a long illness. He will be remembered for his years of service to the electoral districts of Moonee Ponds, Ascot Vale and Pascoe Vale between 1967 and 1988 and for his 22-year contribution to the Victorian Parliament as a frontbencher in opposition and as Speaker of the Legislative Assembly.

Tom Edmunds will also be remembered for his sharp wit and individual style. He lived a full and rewarding life. He was a devoted family man, a tireless public servant, an active community member and an accomplished swimmer and sailor.

Tom was born in Essendon on 25 October 1925. He was educated at Essendon North state school and Essendon high and technical schools. In 1943 he enlisted in the Royal Australian Air Force and served for three years in the Air Sea Rescue Service in the south-west Pacific. On his return he completed his apprenticeship and was employed as a lithographer and later became a factory manager of a printing firm.

The year 1952 was a watershed for Tom Edmunds. He married his wife, Vivienne, and also joined the Essendon West branch of the Australian Labor Party, where he would make a lifetime contribution to the party. Tom Edmunds served as a secretary to his branch for 15 years and also as a treasurer for 3 years. He also worked on 19 federal, state and municipal election campaigns both in and out of Parliament.

Tom Edmunds's parliamentary career began in 1967 when he was elected to this house as a member for Moonee Ponds. In his inaugural speech to the house on 13 December 1967 he highlighted issues of particular concern to him and his electorate, and they included equitable access to education and housing and safeguarding the rights and liberties of ordinary Victorians. His further pursuit of these policy interests was recognised when in 1972 he was appointed opposition spokesman for housing and planning and in 1977 when he was appointed spokesman for police and emergency services.

Tom's outstanding parliamentary career included his being elected chair of the House Committee and deputy chair of the Law Revision Committee. This was capped off by his unanimous appointment to the position of Speaker following the Cain government's election victory in 1982.

Tom Edmunds remained Speaker until his retirement in 1988, and it was in this role that his wit and individuality shone through. In an interview with the media to mark his appointment as Speaker, Tom Edmunds said that he did not want to take the dignity out of Parliament — and I am sure the Speaker will appreciate the comment he made — 'but I would like to take the awe out of it'. He refused to wear the traditional wig and gown, famously stating that 'the gods took my hair from me many years ago, and I'm not going to replace it with horsehair'.

Tom Edmunds invited television cameras into the chamber for the first time; he also abolished the practice of the Clerk reading three stages of the bill, viewing it as an anachronistic waste of valuable parliamentary time. On his retirement Tom Edmunds was awarded a Member of the Order of Australia in 1989. He resumed his hobby of woodwork, he walked labrador guide dogs and he continued his electorate campaigning, as he had done for many years, for the Australian Labor Party. Tom was a man who, in his own words, had a passion for helping others, and it is for this that I believe he will be remembered by all honourable members, by the people he represented and by all those he worked with. On behalf of the government and the Australian Labor Party in Victoria I extend condolences to Tom Edmunds's family: his wife, Vivienne, his children, David, Mark and Penelope, and his brothers, Geoffrey and Bruce.

Mr DOYLE (Leader of the Opposition) — I join the Premier in the condolence motion to recognise the contribution to this state and to this Parliament of the Honourable Cyril Thomas Edmunds, AM.

Tom Edmunds was born on 24 October 1925 in Essendon and he passed away earlier this month aged 77. He was educated at the Essendon high and technical schools and served in the Royal Australian Air Force before eventually becoming the factory manager of a printing firm.

Reading his inaugural speech, it is obvious that Tom Edmunds was passionate about local, environmental, health, education and housing issues, and, of interest to me, he was also vocal in acknowledging and supporting the role of volunteers, which was not something that was commonly done at that time.

Tom Edmunds entered the Legislative Assembly in 1967 when he was elected as a member for Moonee Ponds. He served as the member for Moonee Ponds until February 1976 and then served the electorate of Ascot Vale from 1976 to 1985, and from 1985 he served one term as the member for Pascoe Vale — a very lengthy period of time of service to this Parliament.

It was with interest that I heard the Premier note that Tom was also a branch treasurer for 3 years and a branch secretary for 15 years. As those of us who have served in those positions would appreciate, I am not sure which of those periods of service is the more onerous — a period here in the Parliament or a period as secretary of a branch, whether that be with the ALP or the Liberal Party.

An honourable member interjected.

Mr DOYLE — That is a different matter altogether, but I thank my honourable colleague for his help.

Tom enjoyed community involvement, as the Premier said, which was demonstrated by the many local and also statewide organisations in which he served. He was a member of the Essendon North State School committee, he was a member of the Buckley Park High School council, he was a member of the Essendon and District Memorial Hospital board, he was a member of the West Essendon Progress Association, he was chairman of the Essendon community centre, he was a member of the Victorian Institute of Colleges Council, he was a member of the Melbourne College of Printing and Graphic Arts Council, he was a delegate to the Victorian Constitutional Convention and he was the chairman of the exhibition buildings.

During his parliamentary career Tom Edmunds served on various committees and was the opposition whip from 1976 to 1979 and then again from 1980 to 1982. He was opposition spokesman on housing and planning from 1972 to 1977, and he was opposition spokesman on police and emergency services from 1977 to 1982 — a very distinguished career while he was a member of the opposition, with considerable party and frontbench experience.

In his inaugural speech Tom spoke of the honour and privilege of serving in this Parliament. He said, if I can quote him:

> I hope that as a member of this Parliament, I shall be able to make a practical contribution to the challenges of my office.

From all accounts he was a practical man with a practical wisdom, and the reforms to parliamentary process which the Premier outlined are ample evidence of that.

After that distinguished career in opposition, Tom Edmunds's career culminated in his election as Speaker of the Legislative Assembly in 1982, and he served in that role until his retirement in 1988. During his time he stressed the need for the Speaker to be impartial, and he was renowned for maintaining very high standards during his Speakership.

In an interview on 20 June 1984 Tom Edmunds spoke of the requirement of the Speaker to show great diplomacy. He said:

> While sitting in the office and chair of Speaker, you must be impartial. You're there as the custodian of the rights of all members.

And a part I particularly enjoy:

> Representatives of all political parties come through that door, wanting different things.

I wonder if anything has changed since those times, Madam Speaker, and I am sure you will be able to tell us in due course.

Fairly early, but at about the middle of his career, the *Essendon Gazette* wrote of Tom Edmunds:

> Even his political opponents have acknowledged the way in which he has conducted business before the house, with his understanding of parliamentary procedure and with his keen sense of humour.

That is a great testament to Tom Edmunds, both as a Speaker and as a member of this Parliament.

Tom is survived by his wife, Vivienne, and his children, David, Mark and Penelope. Our thoughts are with them and their families.

Mr RYAN (Leader of the National Party) — On behalf of the National Party I rise to support the Premier and the Leader of the Opposition in moving this motion of condolence for the late Tom Edmunds.

I did not have the pleasure of knowing Tom, but some of those who are still in the house did. I must say that when one reads the background to Tom Edmunds it can truly be said that he was the proverbial self-made man. Tom was born in Essendon in 1925. He was state school educated. He left school at the age of 14 and took up an apprenticeship in lithography. He had three years in the Royal Australian Air Force, and he served in the south-west Pacific during the war. After the war he joined Specialty Press. He became a shop delegate for the printers union, and he joined the ALP in 1952. He was elected eventually to this place in 1967, and he served here until 1988.

It is interesting to reflect on the fact that the 14-year-old who left school at that age and took up an apprenticeship eventually became the Speaker of the Legislative Assembly in the state of Victoria in 1982. That is a commentary upon the extraordinary community in which we live and which we enjoy, and it is also a commentary upon the man himself.

I saw the quotation to which the Premier has already made reference in his contribution about the wig. I just observe in passing, Madam Speaker, that the horse hair remains retired, and I think the fair prospect is that in the course of this four years we are not likely to see it.

From my reading of the material on Tom Edmunds, I must say that he also oversaw some changes in parliamentary procedure, as referred to in his biography. Suffice it to say it was a portent of things to come, and it would perhaps be interesting to have him here in the chamber tomorrow to oversee what is about to happen and receive a point of view from him.

Tom Edmunds had wide interests. They are reflected in the contributions he made in this place. He was a man who recognised a couple of decades ago the changes in society which were then occurring, and he was alive to the nature of the global changes that society was just then beginning to experience.

The history I have read records that he took a Commonwealth Parliamentary Association trip to England years ago, and we are all aware what magnificently constructive investments CPA trips being made available have been for parliamentarians over the years. Out of that trip he was able to see some wonderful initiatives that had been introduced in England with public housing. The commentary upon Tom Edmunds records that he brought back to this Parliament and into the policy of the government many of the issues which he had seen on that invaluable CPA trip in England, which were able to ultimately result in changes to our public housing.

Tom Edmunds had very broad interests. He spoke in his maiden speech about the coal deposits in the Latrobe Valley. He talked about, in essence, the nature of a competitive edge, and the fact that if industry and communities were to flourish, governments of all persuasions were obliged to ensure that they had appropriate policy settings in place. He spoke about some of the state's cultural icons. He was very keen to see the development of the sort of infrastructure that would enable our culture to flourish in Victoria. He had a keen interest in the Institute of Applied Science. He was a great advocate for the teaching of science in our schools. When you read the history of Tom Edmunds it is clear that he was a mix of many things and made obviously an invaluable contribution to this Parliament in the time that he served here.

I suppose that contribution in a sense is summed up by the heading to the article in the *Age* of 12 February, which talked about many of the aspects of Tom Edmunds. The heading reads:

> Plumber's son who became a speaker of wit and style.

That seems to encapsulate a man who is warmly remembered by so many of this Parliament. On behalf of the National Party I convey to Tom Edmunds's family, his wife and children, the condolences of the National Party.

Mr BATCHELOR (Minister for Transport) — Tom Edmunds was born and lived and worked all his life within and for the former City of Essendon. He was an Essendon boy through and through. He joined the Labor Party in 1952, and was very active in a whole range of Labor Party activities all through his life, starting from that early period in 1952.

Concurrently with his activities and support within the local branch and at other levels in the Labor Party, he was also active at his workplace in the printing trades and was very active in trade union affairs. Arising from these experiences within the Labor Party and the union, he then took an active interest in seeking representation for election to Parliament, and stood for the seat of Moonee Ponds three times before he was finally elected in 1967. If nothing else Tom Edmunds was determined, and once he set his sights on achieving a task he set the course to achieve it.

Following a number of redistributions he was successful in continuing his parliamentary career by being elected to the seats of Ascot Vale and Pascoe Vale. During his time in Parliament he was the Labor Party whip between 1976 and 1982, and was Labor Party parliamentary spokesman on housing and planning and then police and emergency services.

Upon the election of the Cain government he was elected Speaker, a position he held until 1988. During his long and distinguished parliamentary career of some 22 years there were many things that can been said of Tom Edmunds, but talking to some of the former members who were here and who worked with him and under him as the Speaker, a recurring theme is that he is fondly remembered for being particularly good at imparting his considerable parliamentary experience. He gave it freely and with good humour, and he was particularly generous towards members.

He knew the building and its procedures extremely well and was keen to go out of his way to assist those who did not have the same level of knowledge. He was also keen to pass on crucial information about the parliamentary bowling club, in which he took an active interest. He saw it as a way of engaging with the more conservative members of his constituency. He found that they were quite enamoured of the events around the parliamentary bowling club as well as participating in those parliamentary competitions.

As a Speaker, Tom was respected across the board. He was respected for his commonsense and for his approach to seeing things in a rational way rather than purely relying on a procedural approach. An article in the *Age* when he was appointed Speaker reveals that he was expected to be a more witty Speaker than his predecessor — and that good humour was a trait in his role as Speaker of this Parliament. He had a good and very long memory for past rulings. He was always making use of that memory and of past rulings to assist him in carrying out his tasks.

Other people have made reference to his decision, which was regarded as quite radical at the time, to not wear the wig and the gown. He set a trend that some subsequent Speakers have followed. Some have decided not to go with it, but others have decided in a similar way to continue the tradition that he established.

He was keen to improve the hours that Parliament sat, and I am sure he will be interested in the debate we will have tomorrow to try to bring some regularity and predictability into the parliamentary sitting hours.

He also wanted to reform the upper house. He was quoted as saying:

> When you look at the Legislative Council it is one of the last bastions of reaction. I bet the government intends to officiate some legislative reform …

Unfortunately Tom will not be around, at least here with us, to see these long-awaited reforms unfold over the next number of parliamentary weeks, but it is a great tribute to the interest that he sparked in parliamentary reforms that some 21 years after he first alluded to them this Parliament will actually get around to trying to bring about those reforms.

His inaugural speech showed that he had a broad range of interests. They ranged from his policy interests in fuel and power through to cultural developments and the sciences. At that time he made reference to the National Gallery of Victoria, which had just moved into its new home down in St Kilda Road. He described that as a milestone in the history of Victoria's cultural maturity.

Again it is unfortunate, given his interest in the National Gallery of Victoria, that he has not been around to see the ongoing success of the new Ian Potter Gallery at Federation Square or the opening of the refurbished St Kilda Road gallery, which will take place later this year. No doubt he would have been in furious agreement with and approved of both those initiatives.

I join with other members of the house in offering our condolences to his wife Vivienne and to the children. He is a fondly remembered Speaker in this chamber. Those who worked with him were very affectionate towards Tom, and he will be sadly missed.

Mr THOMPSON (Sandringham) — I rise to speak on this condolence motion principally through my knowledge of the late Tom Edmunds as conveyed to me through his brother, Bruce, a Sydney–Hobart yachtsman and a person who had a pivotal leadership role in the development of a multimillion dollar marina in Sandringham; and also through his nephew, Stephen, a local accountant and community builder who was behind the establishment of a community bank in my electorate.

One of Tom's key traits that the family has indicated to me was his keen sense of humour and the level of wit he imparted during his adjudications from the Speaker's chair, and also outside. The issue of political redistributions is something that is very close to the heart and soul of any member who has been through them as they see their political destinies realigned. On one occasion back in the mid-1980s a former Labor member for Dandenong, Terry Norris, looking very forlorn, moved into the chamber through the back door and passed Speaker, Tom Edmunds, in the Chair. Tom Edmunds asked Terry Norris, 'What's the matter?'. Terry replied, 'I've just lost my seat in the redistribution'. Tom, displaying his sense of humour, burst out laughing. Terry then replied, 'Well I wouldn't laugh; you've lost your seat too!'.

Tom displayed great equanimity of mind and his approach to people and issues was reflected in the humour he displayed. In the eyes of his family he was a consummate citizen, family man and politician. He was immensely proud of his country and its traditions, and following his war service he later married his wife, Vivienne Ballantine, who had served our country in the navy. They had three children, David, Mark and Penelope.

Tom's political career has been well covered in the chamber already. I draw attention to the fact that following his retirement he served as chairman of the Royal Exhibition Building for a number of years. He continued to work for his community, particularly for Legacy, where he assisted an unknown number of people with their problems, including providing assistance in acquiring pensions. Despite spending long hours in the political arena he maintained close contact with a number of friends. I understand the late Norm Manderson and Alan Thor were well known to him, together with the Cranes, Fitzgeralds, Roscoes and Bill Gilbert, in addition to his friends in politics. Tom's family told me they thought it would be good if everyone was able to enhance their lives by having such loyal and lasting friendships.

Tom's devotion to his family was total, and his pride in their lives and achievements and interest in their problems were always his pleasure. This interest flowed through to his extended family also. He had a very special relationship with his brother, Bruce, who was seven years his junior. Tom and Bruce's father died when Bruce was at an early age, and Tom was a father figure to him in their formative years. Bruce told me how, with the seat out of his trousers, he rode his bike from Essendon to the Sandringham Yacht Club to sign up as a junior member. He told me how Tom would regularly tow his boat around Melbourne as Bruce learned to sail, and in fact he built his own boat before he acquired his own car. Tom provided great assistance to his younger brother and his other brother during tough times.

A former member of this house noted that Tom Edmunds's personal style was quiet, measured and confident. He was self-assured and considered problems as he should. He was a good listener and evenings in his room were a learning exercise as well as social. His brother described the lunches he had with Tom over many years as 'legendary' and 'an institution'. It was noted that his Welsh Methodist background of industry, thrift and dedication to self-improvement had helped him in his life journey. Tom Edmunds also knew about real politics through his struggle in that arena. Having lost two elections and then finally won, he told the media, 'It's a case of tenacity being rewarded. I have tasted defeat, and now victory'.

To the wider Edmunds family, which includes his wife, Vivienne, his children, David, Mark and Penelope, his brother Bruce, his niece, Jenny, and his nephews, Robyn and Stephen, and his other brother, Geoff, we convey the condolences of the house.

Mr HULLS (Attorney-General) — Whilst I did not have the pleasure of being in Parliament as a backbencher or shadow minister when Tom Edmunds was in this place, I had the opportunity of meeting him on many occasions in my role as the member for Niddrie. He visited my office — and I am sure he visited your office, Speaker — on a regular basis, and I was privileged to listen to his views on a range of areas including the importance of integrity in public life.

Tom was a man of great commonsense and a great reformer. When one looks at some of the newspaper clippings at the time of his appointment as Speaker and sees some of his ideas on reforming this place, one sees that he was a great reformer. He would have been very proud for you on your appointment today, Honourable Speaker, as the first female Speaker of this place, and

very excited by the prospect because he was a great reformer. We have heard about his comment on wigs and I will continue to try and push his cause in relation to the judiciary. He was certainly keen to give advice to anyone who wanted to listen. If one has a look at his first speech in this place, he knew what the role of the opposition was. He said:

> Opposition members must carry out their duties with determination and vigour. It is our role not to offer negative criticism but to find alternative policies and make positive contributions to the debate in Parliament.

Tom took that role very seriously, but he was not just passionate about his role as Speaker and parliamentary reform, he was also passionate about his electorate. In an interview with the *Community and Real Estate News* in April 1983 he spoke about his passion for the Maribyrnong River. He made it quite clear that the cleaning up of the river had always been one of his pet projects dating back to the days when he used to swim in the river as a kid. He said:

> Ever since I've been in Parliament it's been a goal of mine to bring it back to the splendidness it did have many years ago, before it was used as a sewer by industry.
>
> I've seen it go through the stages when we used to swim in it, and as it went into the war time and the ammunition plant poured muck into it.
>
> It then sort of stagnated for a long time, to come back to what it is now.

He was very keen to ensure that the river was cleaned up to become an iconic river that would attract many families to its banks. I hope the Moonee Valley City Council will give serious consideration to doing something in Tom's honour down at the river. It has been cleaned up. It really is a great local icon and because of the way Tom treasured and did what he could as a local member to look after the river, it would be appropriate for the council to pay a tribute to him on the banks of the river.

Other speakers have talked about Tom's passion for change in his role as Speaker. In an interview in 1982 he spoke, as the Premier said, about losing his hair and not replacing it with a horsehair wig. He also spoke about the fact that he would like to see some dress reform in Parliament. He said that he would like to leave it to members' commonsense. He said:

> I don't expect to see thongs and T-shirts, but if a member thinks that way, it's his own affair.

Particularly on hot days in this place I am sure Tom would be more than happy with the removal of jackets, but he would be pleased to know that we have not yet got to the stage where we are debating in thongs and T-shirts!

Another area where Tom wanted to introduce reform was in relation to petitions to Parliament. He said he would like to give more emphasis to the petitions presented to Parliament each day of a parliamentary session. He said he still did not know what happened to the petitions once they had been presented. He said:

> I believe they disappear in a chute down into the basement somewhere …
>
> There must be a bloody mountain of them. Perhaps they go down a pipe in the river and into the bay and disappear forever.

Perhaps that is exactly where they go. I am sure he would be keen on the planned reforms to be introduced in relation to the Parliament in 2003.

I conclude by saying that, as everyone has said, Tom was a great bloke. I was fortunate enough to attend his state funeral where former Premier John Cain spoke at length about Tom in very glowing terms. It is interesting that when Tom became Speaker he was spoken about in glowing terms in this place. He was so embarrassed by the way that people spoke about him that he said:

> If speeches of honourable members continue this way, soon there will be nothing left to be said about me at my funeral.

Having been at his funeral I can say that there was plenty that was said about Tom. He will be sadly missed and I offer my condolences to members of his family, his wife, Vivienne, his three kids David, Mark and Penelope, and his brothers Geoff and Bruce.

Mr COOPER (Mornington) — I am one of the few people left standing in this place who served with Tom Edmunds. He was Speaker when I joined the house in 1985 and I served under his speakership between 1985 and 1988. I wrote down on a piece of paper underneath the details of this condolence motion the words 'tough but fair', and they are the first things that come to mind when I think of Tom Edmunds.

He was certainly tough as Speaker. He knew the rules, he knew precedent and he was prepared to cop nothing in the way of people standing up to him or flouting his authority. But at the same time he was very willing and keen to ensure that, regardless of their political persuasion, every member of this house got a fair go. As a very new and untried member in 1985 I can recall moving an opposition business motion on a Wednesday. We were having a good crack at the government. I was persuaded during that debate to

move an amendment to my own motion by somebody who should best remain nameless.

It was not a very good piece of advice. However, I did go ahead with it. One of the government backbenchers at the time — who later became a Speaker, not long after Tom Edmunds retired, so honourable members can draw their own conclusions as to who that was — picked up on the fact that there was a comma in the wrong position and therefore the way in which it read completely negated what I was trying to do. A vast debate ensued over this and I was a bit shaken by it all. I did not remember putting a comma in it, so I went to the clerks and they very happily acknowledged the fact that they had inserted the comma when they should not have, and they advised the Speaker accordingly. In terms of party politics it would have been very easy for the Speaker to have just agreed with the attack on that amendment, but he did not. He very quickly stepped in and ensured that the debate went ahead as amended and as intended by me. I was very appreciative of that: I thought it was a pretty decent indication of the man that he was prepared to give everybody a fair go and not let party politics rule his decision.

I also recall that when I first came to this place I sat in the middle row, even though I was a frontbencher. I had to sit in the middle row, just there, under the old seating configuration. I had not been in here all that long when one day Tom picked me up two or three times during question time for interjecting, which I know will come as a bit of a surprise to most members of the house — a total shock, as the Premier said. The Speaker told me to cease interjecting, so being somebody with a bit of initiative, I decided that the best way to interject was probably to do it by putting my hand that way so that he could not see my mouth moving. He said, 'I have warned you before, and it is no use putting your hand up. I have done all those tricks. I know them all'. It was done with good humour, but he shut me up.

Honourable members interjecting.

Mr COOPER — A rare Speaker! Nevertheless he made sure that his authority triumphed. He was devoted to this Parliament. It came through loud and clear in virtually everything he did. He was devoted to its forms and its traditions, but he was not frightened to make changes if he believed that would assist Parliament to improve the way it conducted its business. That again is the sign of somebody who, while having deep roots in the traditions, is also forward looking. That was appreciated by all honourable members.

The last point I want to make is that those honourable members who are new to this place — and as I look around, most are new to this place in comparison with me — should recall that the work of Tom Edmunds as Speaker will always be remembered as long as this chamber stands, more so than that of any other Speakers, because as they look up they will see three beautiful chandeliers, which are the result of the work of Tom Edmunds. He was the person who went overseas and ordered those chandeliers. They were installed to replace chandeliers that had been removed from the Parliament many years before. I am sure that all of us would agree that they are a beautiful addition to this chamber; they are the work of Tom Edmunds and he will be remembered for that.

I join with all honourable members in sending my condolences and deepest sympathy to Tom Edmunds's family.

Ms CAMPBELL (Pascoe Vale) — I support this condolence motion. Given the comments of the last speaker, it is clear that Tom is still giving guidance in this house, particularly to a colleague, the honourable member for Essendon. The new Speaker is continuing the grand tradition that he set for the Labor Party and for Essendon.

I pay special tribute tonight to the memory of the late Tom Edmunds, the honourable member for Pascoe Vale from 1985 to 1988, and prior to that the honourable member for Moonee Ponds and Ascot Vale. Before becoming the honourable member for Pascoe Vale Tom made a significant contribution serving the nation and the community, and particularly by being a great family man. That has been outlined by previous speakers and I do not wish to repeat it.

Tom was highly regarded by his constituents, particularly by those in the Pascoe Vale electorate, and also by ALP members who occasionally could be accused of being harsh judges. When I began work in the Pascoe Vale electorate I can honestly say that not once did I hear a negative word about Tom from ALP members. As I said, they are not people who tend to give praise willingly. To have only accolades spoken about a person shows the character of the man. That wholehearted endorsement of the work of Tom Edmunds was shared by many constituents in Pascoe Vale. Within the party and local political life accolades are rarely bestowed on people, and I too read the piece that the Attorney-General referred to and I too attended the funeral and thought, 'Well, Tom, there are plenty more accolades to come'. Perhaps it is a reflection on the way our world operates that it is rare that we actually compliment people while they are with us and tend to save the praises until it is a little too late.

It was at Tom's funeral that I saw the many dimensions of Tom's life. His active war service and associated work with Legacy was recognised in one of the many eloquent eulogies at that funeral. But what struck me, on leaving that service, was something that could not be spoken of in the eulogy. It was the very deep sadness and clear solidarity on the faces of those wearing the Legacy badge as we exited St John's Uniting Church. One can imagine, and it is my hope, that they will be with Vivienne and the family in so many ways in the years ahead.

Tom's enthusiasm for education and lifelong learning has been documented by previous speakers, evident through his work on the Essendon North State School committee and the Buckley Park High School council, and as a member of the Victorian Institute of Colleges Council and the Melbourne College of Printing and Graphic Arts Council. In his inaugural speech he also referred to the State Library, the National Museum, the National Gallery and the Institute of Applied Science.

After speaking at that time about the new arts centre he turned to speak about the then Institute of Applied Science, and his love of both education and lifelong learning was conveyed. There are some things that are timeless in this place: not only did he speak about the value of education and lifelong learning through the Institute of Applied Science, but he made a plea for more public funds to that end, saying:

> Financial limitations are retarding the natural expansion of the institute.

He highlighted the school services that were provided by the institute and how they had:

> … grown to become an indispensable auxiliary of science teaching in schools.

He was active in the broader community — today we might call it 'community benefit' — through a range of local organisations.

It was only after Tom had retired from this place that I met him, during an early experience of helping with the famous political pastime of campaigning and letter distribution, finding people who were willing to walk and do the letterboxing. I prided myself on having distributed every one of the letterboxing rounds. This man came back with his letterboxing bundle. My heart sank: I knew either that somebody was not well enough or that the bundle had been dropped at the wrong house or whatever. This man introduced himself as Tom Edmunds. I thought, 'Perhaps I have really blown it this time. This is a man who has served in Parliament for as long as he has and who has been Speaker. Perhaps this is not the way he wants to contribute to the Labor Party'. How wrong I was.

Tom said to me, 'These have not been trifolded'. We had been in a great rush and had distributed the letterboxing piles without trifolding the sheets. He said, 'There is a folding machine in the office'. I said, 'Oh there probably is, somewhere down the back' — but little did I know at the time that Tom had been the manager of a printing works. He had taken it upon himself to come in and teach those of us who as yet had not used the folding machine how to use it. He set it up with impeccable precision so that the trifold was absolutely spot on, and I am sure forever more the people who received their letterboxing rounds were eternally grateful to Tom.

Mr Doyle interjected.

Ms CAMPBELL — We make sure our electorate is well informed on what the Labor Party does. That is why we win elections!

At the funeral we learnt in great detail how Tom's grand skills were put to good use within his family and beyond. We learnt how Tom was the consummate handyman who helped his younger brother, Bruce, with fixing cars and yachting and who helped his own children with their cars — and when he could not fix the cars he was prepared to tow them home.

Together with his wife, Vivienne, Tom built five homes, and any time people visited Tom's place they would be made very welcome. He talked about his family with pride. I was looking at one of the press clippings that has not been mentioned tonight. When Tom was elected in 1967 he was asked what his main interest was, to which he replied, 'I am a family man'. He listed his wife, Vivienne, and his children — David, 14, Mark, 11, and Penelope — as his main interest.

With electoral redistribution, Tom's family's current home was out of the Pascoe Vale electorate. After I had received preselection he spoke to me about the importance of working for your electorate but not disrupting your family.

He also spoke with great pride in the fact that, as the member for Essendon, he had been Speaker. Previous speakers have spoken about what Tom brought to the house in terms of changing traditions. It is interesting to note that we were summoned here tonight with pagers — some of us would not have envisaged pagers years ago when Tom first became Speaker.

At the funeral, much of the fun family time at Torquay was mentioned. Those of us who are parents I think

could identify with the fact that as Tom tried to improve the caravan down at Torquay he did not have to battle the weather in terms of construction but in terms of the surf. His children had to make a very difficult choice between surfing the great waves and helping dad finish additions to the caravan and annex. Vivienne told me, 'We did complete the annex'.

As I said, Tom was a devoted family man. To Vivienne, his treasured wife, to David, Mark and Penelope, his beloved children, and their families, especially his grandchildren, to his younger brothers Geoff and Bruce and their families, I extend not only my sympathies but also those of the Pascoe Vale electorate and ALP members. Tom rests in Williamstown, where his forebears landed in 1852.

Tom concluded his inaugural speech by saying:

> During the period that I am privileged to serve in this institution, I trust I shall honour it by at all times representing the people of my electorate with honesty and sincerity and to the best of my ability, irrespective of political, social or religious attitudes, for better or for worse.

His family, friends and associates know Tom made the world a better place and the community and his family better. We are all indebted to him and, indeed, to his family, for sharing his life with us.

Mr SEITZ (Keilor) — I am one of the members on the Labor Party government side who has served under Tom as Speaker. I was elected in a by-election and Tom already had the position of Speaker. As previous speakers have mentioned, he was a person who came across as very authoritative. I was taken by the then Whip, who was Bunna Walsh, to meet the Speaker and be given the rules and told what has to take place, as I had missed out on the briefings for new members.

People used to like to make jokes, and I did go in trembling when I stood in front of him, because of his mannerism of just standing there. I knew him from party campaigns and knew the strong views he had on positions. However, once I got to know him in the Speaker's office it was a different story. He was very helpful and gave me a lot of good advice at the time. In particular, he said, 'Don't start thinking you're earning bigger money now, spend it and show off with it. You've still got to keep your lifestyle going. You've got your family to support, and if you have only one family member working, you will find that the money doesn't go that far', which, given that was back in 1982, was a fact.

He belonged to a group in this house known as the shellbacks. That group of MPs on the Labor side were very loyal to each other and they stuck up for each other in the bar in particular, when things were happening. Some things did happen in the bar in those days including some people from the shellbacks. Tom, as the Speaker, also had the control of the bar as he was responsible for the precincts of the Parliament.

However, he was very good about accepting issues as they went along. I will always remember one thing he said to me, 'Don't forget: one day you're a rooster, next day you're a feather duster', particularly when it came to preselection time.

He gave that advice to a number of people. I will never forget how quickly things can change in life!

His sense of humour was very good. At that time with the Premier we used to have an annual staff and MPs Christmas break-up party in Queens Hall, which again was something Tom instigated, but it did not continue after his time as Speaker. It was up to the members to provide the entertainment and the speeches. Tom was a very good leader because everybody used to wait and listen to his after-dinner speeches, which were colourful and easy to listen to.

One that I remember vividly was about roosters, and it always seemed to come up around preselection time. Being an older gentleman who was being challenged, he said he would make a deal with the young rooster that he would have a head start and the young rooster could chase him. Of course at the end of the preselection Tom won the race with the head start that he had. Tom told the story in his usual very colourful and interesting way.

When it came to upholding the rules of the house, things were very different from the relaxed atmosphere we experience in this house today. He changed it simply by not having the wig or the formality that existed prior to 1982 when I used to come to Parliament as a visitor. Parliament became a more friendly and different place to operate in simply by his actions and the changes he brought about. Yes, we had long nights, and that also tested the stamina of the Speaker and the Chairman of Committees, who, of course, was one of his shellback colleagues by the name of Bill Fogarty. Bill did not need a microphone when he wanted to have order in the house; you could hear him right through the building! He certainly had a voice like a foghorn.

The gentlemen of that era when I served as a young member of Parliament had some very sensible ideas and some practical changes to make, and they had the opportunity to make them. The honourable member for Mornington spoke about the lights, but also the whole refurbishment of the chamber was part of the action that

took place under Tom Edmunds. Research was done, the rosettes that had been there were re-established, as were the lights that were mentioned. Tom had a good sense of history and an interest in the building itself, and in his position of Speaker he brought in many changes.

When he retired a number of his colleagues from the shellback group went with him. They were a delightful group, particularly when they used to come in with the retired members club. They always had plenty of advice to give to a newcomer, and I am sure they are up in heaven now and will be giving advice to the newcomers who will join them in years to come.

I offer my deepest sympathy and condolences to the Edmunds family. Tom Edmunds was a man our whole region was very proud of.

The SPEAKER — In concluding this debate may I say that I had the pleasure of having Tom not only as a constituent but as a branch member. Some terrific stories about Tom have been told in Essendon as well as in this house, some of which honourable members have heard tonight, but I would like to share with the house just two in relation to Tom. To a certain extent they both show one of his finest qualities, which was his tenacity and determination.

The house heard that Tom joined the Labor Party in 1952, but the Essendon West branch which he joined was not his first choice. He in fact rang up the branch in his area. Of course 1952 was the time of the start of the split in the Labor Party and around Essendon, particularly at St Monica's and St Theresa's, feelings were fairly high.

So Tom rang up the appropriate secretary of his local branch and then engaged in a lengthy discussion with this gentleman that covered a whole range of areas of Tom's life, including where he went to school, where he worked and his views on a number of subjects. After some time the secretary said to Tom, 'I am terribly sorry, Tom, you can't join this branch. It's full'.

All honourable members involved in political parties know that there is no such thing as a full branch. So that is how Tom ended up in the West Essendon branch. He obviously had a different view on the Labor Party and Democratic Labor Party split.

Another more recent story is associated with me. Once again it shows Tom's spirit, in that he would never be defeated. The story relates to events during the 1996 election. As honourable members will remember, the federal election was at the beginning of March. Being the good branch member he was, Tom had a sign for Kelvin Thompson, his federal Labor candidate, outside his house in Prince Street. He became increasingly annoyed that someone kept knocking the sign over, so he went to greater lengths to try and get the sign to stay in the ground.

As honourable members will recall, about three weeks later we had a state election. Once again Tom very kindly put a sign for me in his front garden. He was quite incensed when the same thing happened. Not to be defeated, he took himself off to the local hardware shop and bought a very long stake and a quantity of barbed wire. He put my sign on top of the stake and covered it with barbed wire. Needless to say, Tom won again.

Both those stories say lots of things about Tom that are worth while. As I said, he will be very warmly remembered around Essendon by many people who worked with him. He was always there to help. Even after he had been made Speaker, the level of the task asked of him did not matter. He was ready to do anything to assist the party and the people. I have many fond memories of the great advice he gave me and the many pleasurable conversations we had together.

On behalf of the house I extend my condolences to his wife, Vivienne, and the family. I have no doubt that stories about Tom will be passed around this Parliament for many years to come.

Motions agreed to in silence, honourable members showing unanimous agreement by standing in their places.

ADJOURNMENT

Mr BRACKS (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Vincent Patrick Heffernan, OAM, and the late Honourable Cyril Thomas Edmunds, AM, the house now adjourn until tomorrow at 9.30 a.m.

Motion agreed to.

House adjourned 9.18 p.m.

Wednesday, 26 February 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.38 a.m. and read the prayer.

COMMISSION TO SWEAR MEMBERS

The SPEAKER announced receipt from the Governor of commission authorising her to administer oath or affirmation of allegiance to members who have not taken and subscribed same since election.

BUSINESS OF THE HOUSE

Procedures

The SPEAKER — Order! I have a number of small housekeeping matters that I need to raise with the house before proceeding. In relation to government members sitting on my left, the Liberal opposition has requested that they leave the chamber from the end door rather than the back door because it is concerned about the privacy of documents on the table.

Mr Batchelor — On a point of order, Speaker, in relation to this concern about privacy and through which doors we are to enter, does it apply to the Independents and the National Party as it does to the government?

The SPEAKER — Order! Yes it does. But may I say it is a request to the members; it is not for the Chair to direct where members go in the chamber.

Mr Ryan — On the point of order, Speaker, I raised with the Clerk this morning the fact that I think it would be in everybody's interest that members of the house, whatever party allegiance they may have, speak from the side of the house appropriate to them. As for the Independents, I am sure they will exercise the discretion they invariably have exercised.

The SPEAKER — Order! I understand that was raised with the Government Whip this morning.

Secondly, in relation to mobile phones and pagers, I inform honourable members that they are not allowed to have electronic noises going on in the house. If they cannot work out how to remove the messages from their pagers without the pagers making a noise, I ask that they not attempt to do so until after they have left the chamber. A number of pagers went off during the condolence motions last night, which was not appropriate.

I remind new members that they are required to acknowledge the Chair as they pass across the entrance at the further end of the chamber or when they leave the chamber, but they are not required to do it when they go out the door behind me.

An honourable member interjected.

The SPEAKER — Order! Someone has already broken the rule! I ask whoever that is to turn off their pager or put it on vibrate or leave the chamber.

In relation to addressing the Chair, the Chair would like to be addressed as 'Speaker', certainly not as 'Madam', and the Deputy Speaker wishes to be addressed as 'Deputy Speaker'. I shall not interrupt new members initially because I know it takes a little while to get used to the appropriate ways of addressing the Chair, but I would be grateful if honourable members could remember to address the Chair in those ways.

In relation to some comments I made and comments made by other parties about the opening of Parliament yesterday, I will make a few further comments about the parliamentary behaviour I would like to see in the chamber. I will make a statement before we start the debate in Parliament today.

Part of the role of the Chair is to exercise discretion in controlling debate and ruling on points of order. The Chair does so with the rules of the house and the protection of all honourable members in mind. Whilst it is inevitable that not all honourable members will agree with every decision the Chair makes, it is very important for the proper running of this chamber that such decisions are accepted without dissent other than by moving a substantive motion.

In addition, there has been a tendency in the past for some honourable members to attempt to use points of order as a method of raising issues in debate. I wish to make it clear that such an approach is unacceptable and will not be tolerated by the Chair. Honourable members should not use points of order to make a statement, explanation or speech.

Finally, I am also concerned at the level of personal abuse of other honourable members that has taken place during debates in the past. While all honourable members can rightly expect robust debates to occur, offensive comments and personal reflections are out of order. They serve only to distract from the issues under consideration by the house and will not be accepted by the Chair.

ACTING PUBLIC ADVOCATE

The SPEAKER — Order! I wish to advise that on 13 January 2003 former Speaker Adrianopoulos administered to Frederick Wright, the Acting Public Advocate, the oath required by schedule 3 of the Guardianship and Administration Act 1986.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Study tours

The SPEAKER — Order! As required by the Commonwealth Parliamentary Association study tour guidelines of September 2001, I advise that the following honourable members have submitted study tour reports since the previous announcement to the house on 11 September 2002: Honourable Cameron Boardman, MLC, part 2; Mr Carlo Carli, MP, part 2; Honourable Ian Cover, MLC; Mrs Lorraine Elliott, MP; Honourable Dianne Hadden, MLC; Mr Ken Jasper, MP; Mr Craig Langdon, MP; Mr Telmo Languiller, MP, part 1; and Mr Tony Plowman, MP. Study tour reports submitted by Ms Mary Gillett, MP, and Honourable Sang Nguyen, MLC, were received after the reporting deadline.

MINISTRY

Mr BRACKS (Premier) — I wish to inform the house of the responsibilities to be undertaken by ministers in this Parliament.

In the Legislative Assembly I will be responsible for the roles of Premier and Minister for Multicultural Affairs. The honourable member for Albert Park is the Deputy Premier, the Minister for Environment, the Minister for Water and the Minister for Victorian Communities. He will also answer on behalf of the Minister for Local Government, the Minister for Aboriginal Affairs, the Minister for Sport and Recreation and the Minister for Commonwealth Games in another place.

The honourable member for Bendigo East is the Minister for Education Services as well as the Minister for Employment and Youth Affairs. The honourable member for Thomastown is the Minister for Transport and the Minister for Major Projects.

The honourable member for Broadmeadows is the Treasurer, the Minister for State and Regional Development and the Minister for Innovation. He will answer for the Minister for Finance, the Minister for Energy Industries, the Minister for Small Business and the Minister for Information and Communication Technology in another place.

The honourable member for Bendigo West is the Minister for Agriculture, and he will answer for the Minister for Resources in another place.

The honourable member for Northcote is the Minister for Planning, the Minister for the Arts and the Minister for Women's Affairs. The honourable member for Bundoora is the Minister for Community Services. The honourable member for Kororoit is the Minister for Police and Emergency Services as well as the Minister for Corrections. The honourable member for Lyndhurst is the Minister for Manufacturing and Export and the Minister for Financial Services Industry.

The honourable member for Niddrie is Attorney-General, the Minister for Industrial Relations and the Minister for Workcover. He will answer for the Minister for Consumer Affairs in another place.

The honourable member for Altona is the Minister for Education and Training. The honourable member for Dandenong is the Minister for Gaming, the Minister for Racing, the Minister for Tourism and the Minister assisting the Premier on Multicultural Affairs.

The honourable member for Melbourne is the Minister for Health. She will answer for the Minister for Aged Care and the Minister for Housing in another place.

In the Legislative Council the Honourable John Lenders is the Minister for Finance and the Minister for Consumer Affairs. The Honourable Candy Broad is the Minister for Local Government as well as the Minister for Housing. The Honourable Gavin Jennings is the Minister for Aged Care and the Minister for Aboriginal Affairs. The Honourable Justin Madden is the Minister for Sport and Recreation and the Minister for Commonwealth Games. The Honourable Theo Theophanous is the Minister for Energy Industries and the Minister for Resources. The Honourable Marsha Thomson is the Minister for Small Business and the Minister for Information and Communication Technology.

SHADOW MINISTRY

Mr DOYLE (Leader of the Opposition) — I wish to advise the house of Liberal Party portfolio responsibilities. I am proud that my colleagues have re-elected me leader of the parliamentary Liberal Party and therefore Leader of the Opposition. In the Legislative Assembly the honourable member for

Warrandyte is the Deputy Leader of the Opposition and the shadow minister for industry, the shadow minister for employment and the shadow Minister for Major Projects.

The honourable member for Brighton is the shadow minister for manufacturing and exports. The honourable member for Hawthorn is the shadow Minister for Planning. The honourable member for Box Hill is the shadow Treasurer. The honourable member for Kew is the shadow Attorney-General and the shadow Minister for Industrial Relations.

The honourable member for Polwarth is the shadow Minister for Transport. The honourable member for South-West Coast is the shadow minister for rural and regional development. The honourable member for Doncaster is the shadow minister for education and the manager of opposition business in the Legislative Assembly. The honourable member for Benambra is the shadow Minister for Environment and the shadow Minister for Water. The honourable member for Caulfield is the shadow Minister for Housing and shadow Minister for Community Services. The honourable member for Scoresby is the shadow Minister for Police and Emergency Services.

In addition, the following honourable members will serve as Liberal Party portfolio spokespersons. The honourable member for Nepean is the spokesperson for tertiary education and training, and is the Opposition Whip in the Legislative Assembly. The honourable member for Bulleen is the spokesperson for technology and innovation. The honourable member for Bass is the spokesperson for gaming and the honourable member for Sandringham is the spokesperson for multicultural affairs and Aboriginal Affairs.

I am pleased to advise that in the Legislative Council the Honourable Philip Davis is the Leader of the Opposition in that house, and the shadow minister for agriculture and resources. The Honourable Andrea Coote is the Deputy Leader of the Liberal Party in the Legislative Council and the manager of opposition business in that house. She is also the shadow minister for ageing and carers, and the shadow Minister for Tourism. The Honourable David Davis is the shadow Minister for Health. The Honourable Bill Forwood is the shadow Minister for Energy Industries and the shadow Minister for Workcover.

In addition, the following honourable members will serve as Liberal Party portfolio spokespersons. The Honourable Andrew Brideson will be spokesperson for scrutiny of government and waste watch, and secretary of the shadow cabinet. The Honourable Bruce Atkinson will be small business spokesperson. The Honourable Ron Bowden will be the spokesperson for financial services industry and ports. The Honourable Richard Dalla-Riva will be the spokesperson for corrections. The Honourable David Koch will be the spokesperson for racing. The Honourable Wendy Lovell will be the spokesperson for women's affairs. The Honourable Andrew Olexander will be the spokesperson for arts, consumer affairs, and youth. The Honourable Gordon Rich-Phillips will be the spokesperson for sport and recreation and the Commonwealth Games. The Honourable Graeme Stoney will be the spokesperson for forestry and the Liberal Party whip in the council. The Honourable Chris Strong will be the spokesperson for finance and the Honourable John Vogels will be the spokesperson for local government. Finally I advise the house that the Honourable Gordon Rich-Phillips is the secretary of the parliamentary Liberal Party.

NATIONAL PARTY RESPONSIBILITIES

Mr RYAN (Leader of the National Party) — I wish to advise the house that I have had the honour of being re-elected as the Leader of the National Party and will lead the party in the Legislative Assembly. I also have responsibility for the portfolios of Attorney-General, state and regional development, innovation, major projects, Workcover and gaming. The honourable member for Swan Hill has been elected as Deputy Leader of the National Party in the Legislative Assembly. He has responsibility for the portfolios of agriculture, water, and technology. The honourable member for Murray Valley has responsibility for the portfolios of tourism, small business and retail, and employment.

The honourable member for Rodney has responsibility for community services, housing and the arts. The honourable member for Lowan has responsibility for health, aged care and Aboriginal affairs. The honourable member for Shepparton has responsibility for local government, planning, women's affairs, multicultural affairs and Victorian communities. The honourable member for Benalla has responsibility for police and emergency services, corrections, and manufacturing and exports.

The Leader of the National Party in the Legislative Council is the Honourable Peter Hall, a member for Gippsland Province. He has responsibility for education and training, education services, resources and environment, and energy industries. The Deputy Leader of the National Party in the Legislative Council is the Honourable Damian Drum, an honourable member for North Western Province. He has responsibility for

youth affairs, sport, recreation and racing, consumer affairs and the Commonwealth Games. The Honourable Bill Baxter, an honourable member for North Eastern Province, has responsibility for Treasury, finance, industry and industrial relations, and the financial services industry. The Honourable Barry Bishop, an honourable member for North Western Province, has responsibility for transport, roads and ports, and commodities.

QUESTIONS WITHOUT NOTICE

Bushfires: inquiry

Mr DOYLE (Leader of the Opposition) — My question without notice is to the Premier. Will the government commit to an independent select committee inquiry into the north-east and Gippsland bushfires that comprehensively examines precautionary readiness, bushfire response and recovery planning?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. From the outset can I say that the firefighting effort this season has been the best firefighting effort in Victoria's history, and I want to congratulate the many members of the public who have assisted, the communities, the volunteers and the firefighters who have been paid officers of the Department of Sustainability and Environment. It has been an extraordinary effort of coordination both centrally and on the ground.

When you think that more than 1 million hectares have been burnt, which is on the scale of the 1939 fires, when you think of how much property has been saved — while we regret that houses and buildings have been burnt in the fires — and when you think that no-one has lost their life and that no serious injuries have been sustained, it will go down as one of the best firefighting efforts in Victoria's, if not Australia's, history.

We were prepared and ready for this fire season. We made it clear well before the fire season that we expected it to be one of the worst on record. We committed more than 30 per cent extra resources to firefighting efforts around the state, including an additional air crane and extra resources for infra-red surveillance and other work for the fire itself. We have had a great effort in place.

I have said from the very start that the time to examine the lessons from this fire will be when the fire is out. That has been the case every time we have had a significant fire in this state, whether it was Ash Wednesday or other significant fires in the past, and that is the time when we will appropriately examine the lessons we have learnt. Just as we learnt lessons from the 1939 fires and the royal commission that was set up in 1939, just as we learnt lessons from the Ash Wednesday fires and from the Longford gas disaster, during which there was a coordination of emergency services, so we will learn lessons from these Victorian fires as well. That will be done appropriately and at the right time — and not while volunteers and others are still fighting the fire. It will be done when that fire has been extinguished completely, which I hope is in the coming weeks.

We know there has been some containment through the good work of firefighters around the state. We hope for a weather break which will contain these fires even further. At that time, of course, we will commit ourselves to learning from this episode, as we have learnt from every episode in the past.

I reiterate that this will go down as the best and most coordinated fire effort in this state. Territorial issues have been put aside; it has worked well on the ground and it has worked well centrally.

On behalf of the Parliament and the people of Victoria I pay credit to those people who have fought fires on behalf of the wider community. They have done a fantastic job on behalf of all of us.

Terrorism: preparedness

Mr TREZISE (Geelong) — My question is to the Premier, and I ask: will the Premier please advise the house of what action the government has taken to fulfil its pre-election commitment to strengthen the state's capacity to deal with terrorist threats?

Mr BRACKS (Premier) — I thank the member for Geelong for his question. There is no jurisdiction and no place in Australia which is immune from a potential terrorist attack; that is the regrettable circumstance we find ourselves in, particularly post-11 September and the Bali bombings.

There is no place in Australia which is immune from potential terrorist attacks. We have to be prepared and ready for those occurrences in the future if they do occur, and we have taken two major steps to make sure Victoria is as prepared as it can be. The first relates to resources and making sure we have the right capacity for our police force and emergency services to operate if there is a potential terrorist attack here in Victoria. The second relates to laws to give the police and the

emergency services additional powers to deal with those incidents if they occur here in Victoria.

In relation to the resources, as many honourable members in this house would know, the government announced a new $37.4 million package of anti-terrorism measures in October last year, which will go to increased resources for the special operations group, to a new counter-terrorism coordination group to be established and formed in Victoria and to a new state crisis centre, which will also be established in this state for the very first time.

I can announce today that in addition to that $37.4 million package we have now completed a new training facility at the Victoria Police Academy at Glen Waverley. The new $8.4 million training centre, which will be inspected today by the police minister and myself, is a Federal Bureau of Investigation-style simulated training facility which will train some 9000 of our police officers each year in new anti-terrorism and counter-terrorism techniques. I am very pleased that that construction which has been occurring over the last 12 months has now been successfully completed and that the facility can go into action in training our police force to be ready and able to deal with the potential new threats we may find ourselves facing.

Speaker, as well as the resources we have put in place, as you know, this house will be considering over the coming weeks a new legislative package which is designed to give the police and the emergency services additional powers to deal with any terrorist incident that may occur. There are three major areas in which those additional powers will apply: firstly, new covert search warrants will be available to police in the future to conduct searches without the usual arrangements being in place but with safeguards to ensure that the courts will check and examine those covert search warrants once they are issued; secondly, the compulsory reporting of chemical thefts to ensure that there is a proper monitoring of those thefts in the future and that action can be taken immediately; and thirdly, the capacity to quarantine any victims of a chemical, biological or radiological attack which might occur so that it does not spread to the rest of the population and can be handled appropriately and properly for those people who might have been affected.

Clearly these new powers and resources are required because things have changed — the world has changed — post-11 September and post the Bali bombings. We have to acknowledge that that change has occurred. We cannot ignore the fact that potentially a terrorist attack could occur here in Victoria or anywhere in Australia. We are well prepared and well ready, both with the legislation that this house will be considering over the coming weeks and, importantly, with the new resources and the new training capacity at the facility we will be inspecting today.

Bushfires: stock

Mr RYAN (Leader of the National Party) — My question is to the Minister for Environment. Will the minister direct that state game reserves and other suitable areas of Crown land across Victoria be made available for stock that has been left without fodder because of the bushfires?

Mr THWAITES (Minister for Environment) — I thank the honourable member for his question. I will commence by endorsing the comments made by the Premier about the outstanding effort in fighting the recent fires. It has been an outstanding effort, not only directly by the firefighters at the fire front but also by all those people involved in the fire effort, whether they be in the incident control centres or whether they be providing food, lodging and assistance to the many, many people who have been part of these fires. In particular, I note the efforts of a range of organisations to coordinate in a way far better than they have before.

In relation to the question asked by the honourable member, this government has established a ministerial task force on bushfire recovery, which is currently working with the affected communities, aimed at ensuring we have that same level of coordination in the recovery as we have in fighting the fires.

Already $500 000 has been made available so that stockfeed is available. That has already been done on the recommendation of the Victorian Farmers Federation (VFF).

Mr Honeywood interjected.

Mr THWAITES — Well that was the question; the question that was asked related to the feed. That has already been provided.

In addition to that, the task force is working with the VFF and others affected to ensure that stock has feed available, and additional funds have been provided to affected councils — another $200 000 — to improve the situation there. Further, the various affected agencies are working with farmers and organisations to ensure that appropriate places are available. The truth of the matter is that there are very limited public areas available that are suitable for grazing. Most of those areas that are suitable, in fact, have already been licensed for grazing.

So while this government is doing everything it can — everything it can — to support those who are affected by this fire, it is constrained by the fire itself, the fact that many, many hectares have been burnt and the fact that limited areas are available.

Bushfires: task force

Mr HARDMAN (Seymour) — My question is to the Minister for State and Regional Development. Will the minister outline the government's bushfire task force plan of action to help restore confidence and activity in the fire-affected regions of Victoria?

Mr BRUMBY (Minister for State and Regional Development) — I thank the honourable member for Seymour for his question, and I endorse the comments which have been made today by the Premier and Deputy Premier about the extraordinary effort of the CFA volunteers, Red Cross, personnel of the Department of Sustainability and Environment, and all of the affected communities who have done such a magnificent job over the last six weeks in fighting fires which are among the largest in Victoria's history. As the Premier said earlier, what is remarkable is that, despite the huge area which has been burnt, the amount of housing which has been lost is relatively small in comparison to other fires, and to date no lives have been lost. It has been a truly remarkable effort.

The government's first priority, of course, is to make sure that the fires are under control and put out. Hopefully, if we get decent rain in the next few weeks that can occur. The second priority of the government is to make sure that it focuses properly on economic recovery in the regions concerned so that it can work with those communities to get them back on their feet so that they can see jobs and investment and confidence restored in those areas — and the Bracks government has been getting on with the job of doing that.

The Premier appointed the ministerial task force; the task force has visited widely. I want to say, too, that the Premier and the then Acting Premier, the Deputy Premier, have also visited many of the fire areas across the state over the last six weeks. We have seen the Premier in north-east Victoria — in Gippsland, Myrtleford, Beechworth, Bright and Cobungra — and the Deputy Premier in Myrtleford, Beechworth, Omeo, Swifts Creek throughout the north-east and Gippsland. Of course, members of the task force have been to Bright, Beechworth, Omeo, Swifts Creek, Bairnsdale, Cobungra, Myrtleford, Tallangatta, Mount Beauty, Mount Hotham, and Corryong, and there will be further visits. The reason we have made those visits is so we can listen to the views of local communities and local councils and to put those views into action.

To date a series of decisions has been made by the government to give effect to recovery in these areas. I want to run through some of those. The Deputy Premier mentioned the $500 000 we have provided for fodder relief. We have also kicked off the Victorian Bushfire Recovery Appeal Fund by giving $1 million to that. The federal government has also contributed, and Victorians are giving generously to that fund. The Rural Finance Corporation has been empowered to make concessional loans available to primary producers, small businesses and households which have been affected. We have provided $160 000 in hardship grants; we have provided $900 000 for shires and agencies and for municipal emergency control centres, community development officers and financial counsellors. We have set up a volunteer hotline, because many thousands of Victorians want to work with those communities to help with the recovery effort. Of course we have also begun a media campaign to get tourists back to the areas. Members of the house would have seen the advertisements which have run over the last week in the statewide press from the Premier urging people to get back to visiting the fire-affected regions. It has been a significant effort — a significant effort.

Compare the performance of this government with former governments, particularly in the 1990s when Gippsland was affected by drought. The then government lifted barely a finger to help Gippsland through that stage; this has been a remarkable focus on working with communities to ensure proper economic recovery.

Honourable members interjecting.

Mr BRUMBY — The Leader of the Opposition could tell us how many places in the bushfire area he has visited. He seems to have more of an interest in getting a bit of media coverage rather than in helping the affected areas.

Honourable members interjecting.

Mr BRUMBY — Is that right? How's Swifts Creek?

Mr Doyle interjected.

The SPEAKER — Order! I ask the minister to conclude his answer.

Mr BRUMBY — I am also pleased to announce that today the government is announcing $733 000 for

financial and personal counselling services to assist the fire-affected communities. In every area we have been this view has been put to us by the Victorian Farmers Federation, local councils and the affected communities. I am also pleased to announce that the government, again in response to local representations in the north-east and Gippsland, is making available five additional doggers to tackle the wild dog problem which has become more pronounced as a result of the bushfires.

On Friday I will release an interim report of the bushfire recovery task force. That will address a number of other immediate issues. But I think it is clear from the government's decisions to date that it is working with local communities; it is helping those communities recover. It is committed to getting on with the job and to ensuring there is restored confidence, growth and investment in the areas which have been so affected by fire.

Bushfires: fences

Dr NAPTHINE (South-West Coast) — My question without notice is to the Minister for Agriculture. Will the government now provide funding to help farmers rebuild boundary fences destroyed in recent bushfires, as it did in the Stawell fires in 2002? I remind the minister that this is the highest priority for farmers in the fire-affected areas.

Mr CAMERON (Minister for Agriculture) — Congratulations, Speaker, on your election.

I join other honourable members of the government in commenting on the tremendous fire effort that we have seen in Victoria. It is a fire effort which continues, and it is a fire effort which has involved a great many people — a great many volunteers, a great many people from the Department of Sustainability and Environment and a great many people from my department.

I will just outline that the way the government has responded to farmers has been appropriate and sensible to date and, as the Minister for State and Regional Development has also outlined, the government will be providing further responses later in the week.

Some of the immediate issues that came to light were that of dealing with stock as a result of the reduction of feed and also dealing with stock that were burnt and had to be destroyed. My department was there, of course, providing the necessary advice. Officers visited some 220 farms to help bring about sensible advice and put in place arrangements, where necessary.

Mr Doyle interjected.

Mr CAMERON — No wonder we love you!

The SPEAKER — Order! The Leader of the Opposition!

Mr CAMERON — This has been the approach.

The next immediate issue involves feed for those stock left stranded as a consequence of fire. What we did with the $500 000 donation was work with the Victorian Farmers Federation (VFF) to help coordinate — —

Dr Napthine — On a point of order, Speaker, which relates to relevance. The question was very specific regarding fencing and whether the government would provide assistance to farmers to rebuild boundary fences. I would ask you to bring the minister back to the relevance in answering the question.

Mr CAMERON — On the point of order, Speaker, the question related to what were the immediate concerns — and he nominated fencing — but there were more pressing matters and I have outlined those to the house.

The SPEAKER — Order! I do not uphold the point of order. The minister was being relevant.

Mr Doyle interjected.

The SPEAKER — Order! Without the assistance of the Leader of the Opposition.

Mr CAMERON — That operation with the VFF in providing that emergency feed has been very successful. The law relating to fencing is that the fence is the owner of the property, and some property owners are insured — —

An Honourable Member — 'The fence is the owner of the property'?

Mr CAMERON — Sorry, the fencing belongs to the owner of the property.

Of course many farmers are insured, and they will claim upon their insurance. However, there are some farmers who are underinsured, and those views have been presented to the recovery task force and a response will be made as appropriate.

Bushfires: emergency services

Mr MAXFIELD (Narracan) — I have a question for the Minister for Police and Emergency Services. Will the minister inform the house of the extraordinary response to the bushfires by emergency services

personnel, including volunteers, and the role they have played in protecting our communities?

Mr HAERMEYER (Minister for Police and Emergency Services) — I congratulate the honourable member for Narracan on his question because I know he has a very personal interest in this issue. He in fact was one of 20 000 wildfire accredited Country Fire Authority (CFA) volunteers out there fighting those fires with his colleagues from elsewhere in Gippsland and throughout the state.

On 7 and 8 January there were over 84 fires lit throughout Victoria from lightning strikes. As a result of those fires there were some substantial losses which were tragic for those people involved. But I have to say those losses have been few compared to what they could have been were it not for the fantastic efforts of our emergency services and the dedication and effort of our support emergency services and support agencies involved in the preparation and awareness of Victorian communities in high-risk fire areas, and I think that came through — the understanding that people had about preparing fire plans and what they needed to do to reduce the risk around their own properties.

The community partnerships that had been developed between the fire agencies and the community is a real tribute to commitment, teamwork and tireless effort. It involved firefighters, both career and volunteer. It involved not just those on the fire front but those who stayed back and protected the home front throughout Victoria. It was also those other emergency volunteer and support agencies that contributed to that effort. There is an enormous logistical effort in feeding, locating and transporting people, and all of our agencies performed fantastically.

I have to say the emergency has certainly demonstrated the strength of our emergency management arrangements, and I particularly want to congratulate the Emergency Services Commissioner, Bruce Esplin, and his team for the role they have had in coordinating the whole operation, which has been the biggest, longest running emergency in Victoria's history. They have done a fantastic job to sustain this sort of effort over a period of 46 days, and the logistics involved in that and making sure that we do not burn emergency services people out has been nothing short of spectacular.

There was an incredible degree of planning that went in to ensure that the whole of the state had excellent fire cover. Despite the fact we had nearly 500 kilometres worth of fire front across north-eastern Victoria and Gippsland, we still had excellent fire cover across the rest of the state and excellent emergency services cover. In fact we maintained a surge capacity to knock down new starts quickly. On the Australia Day weekend we could well have had another Ash Wednesday tragedy in this state. There were over 200 new starts in this state, but because of the response of the emergency services they were able to be put down very, very quickly.

We had a situation where CFA, Department of Sustainability and Energy and Parks Victoria firefighters worked side by side. We had the Metropolitan Fire and Emergency Services Board backfilling into CFA areas and also integrating with CFA strike teams at the fire front. We also had the excellent support of some 25 agencies, including the State Emergency Service (SES), Victoria Police, Rural Ambulance Victoria, Red Cross and St John's.

It is also a tribute to the injection of resources that has been put into our fire services — the extra firefighters that have been engaged by the Department of Sustainability and Environment and Parks Victoria, the $120 million injection into training 20 000 wildfire accredited CFA volunteers, into new equipment for the CFA, and also the injection into the SES and other agencies. They have done their agencies proud, and I have to say that what comes out of this fire is the recognition that public safety is everybody's business, and it is not just the responsibility of emergency agencies. It was the preparation of our communities that I think has helped protect those communities so well.

There were also strong partnerships between government, emergency service organisations and the community. I want to take this opportunity to thank everybody involved — our career firefighters, the volunteers and their families. Their families often have to suffer a lot, not just when they are out fighting fires, but during a lot of the training that goes on, and also the employers — —

Mr Honeywood — On a point of order, Speaker, we are constrained today by a half hour question time. Already the Minister for State and Regional Development has spent over 5 minutes or almost 20 per cent of question time on one answer. The Minister for Agriculture has spent 20 per cent of question time on another answer. If the opposition is to have more than two questions today, I would request that you ask the minister to wind up.

The SPEAKER — Order! Both ministers spoke for under 4 minutes, which is the required guide, but the Minister for Emergency Services has now exceeded that, so I ask him to conclude his answer.

Mr HAERMEYER — I was finishing up, and it is unfortunate that I was interrupted in actually thanking those people involved.

As I say, I want to thank — and I will not be interrupted in this — the career firefighters, the volunteers and their families, and the employers who freed those people up to go out and do that important work for our community, who are making sacrifices to ensure the safety of many thousands of Victorians. They deserve our thanks, and they deserve it wholeheartedly, and they deserve it in a bipartisan sense as well.

Bushfires: timber salvage

Mr PLOWMAN (Benambra) — My question is to the Minister for Environment. Given the economic and environmental benefits of the reduction of combustible material from the stands of alpine ash and mountain ash that were burnt in the recent fires at Pinibar, Razorback and the Bogong complex, will the government allow the salvage of timber within the national park?

Mr THWAITES (Minister for Environment) — I congratulate the honourable member on asking a question and on his appointment to the shadow ministry in February, a month after the fires started!

An honourable member interjected.

Mr THWAITES — I am glad the opposition has now discovered the environment: I congratulate it on that. I also note that the person the opposition has chosen as its environment spokesperson has raised the important issue of salvage. The government will look at the whole issue of the salvaging of timber throughout the forests. As honourable members would know, we still have fires on our hands, and some 2000 employees of various government departments, including the forestry areas, are fighting those fires. That is their first priority. The issue of salvage, important though it is, will be considered after the fires are out.

Bushfires: government agencies

Ms DUNCAN (Macedon) — I direct my question to the Minister for Environment. Will the minister advise the house of the role the staff of key government agencies have played in fighting the bushfires that have ravaged large parts of Victoria?

Mr THWAITES (Minister for Environment) — I thank the honourable member for her question and congratulate her on her re-election to this house.

We are all aware of the extent of the fires that have covered the state in recent months. Victoria is one of the three most fire-prone areas on the planet. On a world scale the fires in north-east Victoria and Gippsland were some of the largest in recent times. But as the Premier and Minister for State and Regional Development have also indicated, the fires have been some of the most successfully fought in this state's history and, indeed, in the world.

Just as my colleague the Minister for Police and Emergency Services paid appropriate tribute to the work of Country Fire Authority (CFA) volunteers and all those others, including contractors who worked on the fires, I pay particular tribute to the employees of the Department of Sustainability and Environment, the Department of Primary Industries and Parks Victoria. More than 2000 staff from those agencies have been fighting those fires or working on the fire effort day in and day out for many weeks. Many of those staff are performing duties that are not part of their normal jobs but are particular fire duties for which they have become trained and qualified.

If we have learnt one lesson from previous fires, it is the need for coordination and training, and that is what we have seen in the recent fire effort. Having visited the various incident control centres around the state, I have been enormously impressed by the coordination and cooperation between the various agencies and the CFA. They work at the same desks; they have a completely seamless level of control and an integrated fire management strategy. That is the reason why the loss of property has been minimal, with no loss of life at all.

The other critical factor is the extra resources that have been put into the various agencies. Extra firefighters were put on earlier this year in the Department of Sustainability and Environment and the Department of Primary Industries, because the government predicted that this would be a bad fire season. I recall the Minister for Police and Emergency Services advising the house last year of the dangers we approached with the coming season, only to be met by a comment from the Leader of the Opposition that it was dull. The government believed it had to be prepared, and that is why additional staff were put on and additional resources have been put in place.

In conclusion I record my thanks as the minister responsible for the work of the more than 2000 people in government agencies who have been doing such an outstanding job throughout the period of the fires.

PETITIONS

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

Housing: loan schemes

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

The humble petition of the following residents of the state of Victoria sheweth state government-sponsored home loan schemes under the flawed new lending instrument called capital indexed loans sold since 1984–85 under the subheadings CAPIL, deferred interest scheme (DIS), indexed repayment loan (IRL), home opportunity loan scheme (HOLS), shared home opportunity scheme (SHOS), are not fit for the purpose for which they were intended.

We the undersigned believe these loans are unconscionable and illegal and have severely disadvantaged the low-income bracket Victorians the loans were meant to assist.

Your petitioners therefore pray that:

1. the existing loans be recalculated from day one in a way as to give borrowers the loans they were promised: 'affordable home loans specially structured to suit your purse';

2. the home ownership be achieved within 25 to 30 years from date of approval;

3. the payments to be set at an affordable level (i.e., 20–25 per cent of income for the duration of the term for all the loan types);

4. past borrowers who have left the schemes be compensated for losses that have been incurred by them being in these faulty structured loans;

5. any further government home ownership schemes be offered in a way as to be easily understood by prospective loan recipients;

6. the interest rate will be at an affordable rate (i.e., flat rate of 3 per cent per annum or less for the length of the term of the loan) geared to income;

7. capital indexed loans be made illegal in this state to protect prospective loan recipients.

We ever pray that we may lead a quiet and peaceable life in all godliness and honesty (1 Tim. 2:2).

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

By Mr DOYLE (Malvern) (10 signatures), Mr SMITH (Bass) (8 signatures), Ms NEVILLE (Bellarine) (10 signatures), Mr HARKNESS (Frankston) (20 signatures), Mr BAILLIEU (Hawthorn) (10 signatures), Mr SEITZ (Keilor) (10 signatures), Mr NARDELLA (Melton) (10 signatures), Ms MUNT (Mordialloc) (9 signatures), Mr COOPER (Mornington) (10 signatures), Mr DIXON (Nepean) (10 signatures), Mr WELLS (Scoresby) (10 signatures) and Mr HARDMAN (Seymour) (10 signatures)

Nillumbik: land sale

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

The humble petition of the Eltham Gateway Action Group and the undersigned citizens of the state of Victoria sheweth that they deplore the recent decision by the Nillumbik Shire Council to sell land at 813–825 Main Road, Eltham (corner of Bridge Street and Main Road), which is likely to result in another unsightly or inappropriate development.

Your petitioners therefore pray that the Minister for Local Government will intervene to ensure that this strategic site remains in public ownership.

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

By Mr HERBERT (Eltham) (454 signatures)

Frankston: performance

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

The humble petition of the people of Frankston sheweth their concern over the performance of Frankston City Council.

Your petitioners therefore pray that the community of Frankston has no confidence in the performance of Frankston City Council, and we the undersigned request that Parliament refer The Frankston Project (Revised) to an independent panel, in order that it be the subject of full community scrutiny and comment.

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

By Mr HARKNESS (Frankston) (434 signatures)

Gembrook–Launching Place Road: safety

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

The humble petition of the undersigned citizens of the state of Victoria sheweth that the citizens of Cardinia shire and the Shire of Yarra Ranges are petitioning to have the unsealed section of Gembrook–Launching Place Road (Cardinia shire) sealed. We believe the narrow, corrugated nature of this section is substandard and dangerous, and we are anxious to see it conform to the standard of the rest of the main road urban network.

We urge the Minister for Transport to respond to our request.

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

By Ms LOBATO (Gembrook) (591 signatures)

Police: Kyabram

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

The humble petition of the undersigned citizens of the state of Victoria shows their great concern for the increase in vandalism and behavioural offences in Kyabram and surrounding areas and notes that there are only six police officers to cover the cluster stations of Tongala, Stanhope and Rushworth.

Your petitioners therefore pray that the government will give urgent attention to encouraging the police department to appoint police officers to the Kyabram police cluster.

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

By Mr MAUGHAN (Rodney) (951 signatures)

Laid on table.

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

GARDINER FOUNDATION

Annual report

Mr CAMERON (Minister for Agriculture) — By leave, I move:

That there be presented to this house the report for the year 2001–02 of the Gardiner Foundation.

Motion agreed to.

Laid on table.

PRIVILEGES COMMITTEE

Right of reply

Mr LONEY (Lara) presented report on right of reply of Professor John Power and Ms Ann Morrow, together with an appendix.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Adult Parole Board of Victoria — Report for the year 2001–02

Alpine Health — Report for the year 2001–02 (three papers)

Architects Registration Board of Victoria — Report for the year 2001–02 (two papers)

Austin and Repatriation Medical Centre — Report for the year 2001–02 (two papers)

Australian Centre for the Moving Image — Report for the period 1 January 2002 to 30 June 2002

Bairnsdale Regional Health Service — Report for the year 2001–02 (two papers)

Barwon Health — Report for the year 2001–02

Bayside Health — Report for the year 2001–02

Beechworth Health Service — Report for the year 2001–02

Bendigo Health Care Group — Report for the year 2001–02

Beaufort and Skipton Health Service — Report for the year 2001–02

Building Commission — Report for the year 2001–02

Central Gippsland Health Service — Report for the year 2001–02

Cobram District Hospital — Report for the year 2001–02

Colac Area Health — Report for the year 2001–02

Coliban Region Water Authority — Report for the year 2001–02 (two papers)

Consumer and Business Affairs Victoria — Report for the year 2001–02 — Ordered to be printed

Dental Health Services Victoria — Report for the year 2001–02

Djerriwarrh Health Services — Report for the year 2001–02 (two papers)

Domestic Building (HIH) Indemnity Fund — Report for the period 8 June 2001 to 30 June 2002

Drugs, Poisons and Controlled Substances Act 1981 — Documents pursuant to s 12H — Poisons Code:

Amendment No. 2 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 17

Notice regarding the amendment, commencement and availability of the Poisons Code

East Grampians Health Service — Report for the year 2001–02

East Wimmera Health Service — Report for the year 2001–02

Eastern Health — Report for the year 2001–02 (two papers)

EcoRecycle Victoria — Report for the year 2001–02

Edenhope and District Memorial Hospital — Report for the year 2001–02

Environment Protection Authority — Report for the year 2001–02 (two papers)

Echuca Regional Health — Report for the year 2001–02

Financial Management Act 1994:

Reports from the Minister for Agriculture that he had received the 2001–02 annual reports of the:

Murray Valley Wine Grape Industry Development Committee

Northern Victoria Fresh Tomato Industry Development Committee

Reports from the Minister for Environment that he had received the 2001–02 annual reports of the:

Barwon Regional Waste Management Group

Calder Regional Waste Management Group

Central Murray Regional Waste Management Group

Desert Fringe Regional Waste Management Group

Gippsland Regional Waste Management Group

Goulburn Regional Waste Management Group

Grampians Regional Waste Management Group

Highlands Regional Waste Management Group

Mildura Regional Waste Management Group

Mornington Peninsula Regional Waste Management Group

North East Victorian Regional Waste Management Group

Northern Regional Waste Management Group

South Western Regional Waste Management Group

Western Regional Waste Management Group

Reports from the Minister for Health that she had received the 2001–02 annual reports of the:

Alexandra and District Ambulance Service

Alexandra District Hospital

Boort District Hospital

Casterton Memorial Hospital

Chiropractors Registration Board of Victoria

Cohuna District Hospital

Coleraine District Health Services

Dunmunkle Health Services

Food Safety Council of Victoria

Health Purchasing Victoria

Hesse Rural Health Service

Heywood Rural Hospital

Inglewood and Districts Health Service

Lorne Community Hospital

Maldon Hospital

Manangatang and District Hospital

McIvor Health and Community Services

Nathalia District Hospital

Numurkah District Health Service

O'Connell Family Centre

Omeo District Hospital

Osteopaths Registration Board of Victoria

Physiotherapists Registration Board of Victoria

Podiatrists Registration Board of Victoria

South Gippsland Hospital

Timboon and District Healthcare Service

Yea and District Memorial Hospital

Report from the Premier that he had received the 2001–02 annual report of VITS Language Link

Reports from the Minister for Water that he had not received the 2001–02 annual reports, together with an explanation for the delay in tabling of the:

Central Highlands Region Water Authority

First Mildura Irrigation Trust

Goulburn Valley Region Water Authority

Financial Management Act 1994:

Budget Sector — Quarterly Financial Report No. 1 for the period ended 30 September 2002

Budget Update for the year 2002–03

Gippsland Southern Health Service — Report for the year 2001–02

Geelong Performing Arts Centre Trust — Report for the year 2001–02

Goulburn Valley Health — Report for the year 2001–02 (two papers)

Heritage Council — Report for the year 2001–02 (two papers)

Hepburn Health Service — Report for the year 2001–02

Infertility Treatment Authority — Report for the year 2001–02

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rule Nos 95, 98

Notice under s 32(4)(a)(iii) in relation to Statutory Rule No. 48

Intellectually Disabled Persons' Services Act 1986 — Report of the Community Visitors for the year 2001–02

Judicial Remuneration Tribunal Act 1995 — Report of Determinations Nos 1 and 2 of 2002

Kerang and District Hospital — Report for the year 2001–02

Kilmore and District Hospital — Report for the year 2001–02

Kooweerup Regional Health Service — Report for the year 2001–02 (two papers)

Kyabram and District Health Services — Report for the year 2001–02

Kyneton District Health Service — Report for the year 2001–02

Latrobe Regional Hospital — Report for the year 2001–02 (two papers)

Least Waste — Report for the year 2001–02

Legal Practice Act 1996 — Practitioner Remuneration Order pursuant to s 113

Library Board of Victoria — Report for the year 2001–02

Mallee Track Health and Community Service — Report for the year 2001–02

Mansfield District Hospital — Report for the year 2001–02

Maryborough District Health Service — Report for the year 2001–02 (two papers)

Melbourne City Link Act 1995 — Leases pursuant to s 60(a):

Statement of Variation No. 1/2002 — Detailed Tolling Strategy

Company Lease:

Tullamarine Freeway Upgrade and Western Link Section 1

Southern Link Section 1

Southern Link Section 5

Trust Concurrent Lease:

Tullamarine Freeway Upgrade and Western Link Section 1

Southern Link Section 1

Southern Link Section 5

Trust Lease:

Southern Link Section 1

Southern Link Section 5

Melbourne Health — Report for the year 2001–02

Mental Health Act 1986 — Report of the Community Visitors for the year 2001–02

Melbourne Market Authority — Report for the year 2001–02

Mercy Public Hospitals Inc — Report for the year 2001–02 (two papers)

Moyne Health Services — Report for the year 2001–02

Mt Alexander Hospital — Report for the year 2001–02

Museums Board of Victoria — Report for the year 2001–02

Murray Valley Citrus Marketing Board — Report for the year 2001–02

National Gallery of Victoria — Report for the year 2001–02

Natural Resources and Environment, Department of — Report for the year 2001–02

Northern Health — Report for the year 2001–02

Nurses Board of Victoria — Report for the year 2001–02

Orbost Regional Health — Report for the year 2001–02

Otway Health and Community Services — Report for the year 2001–02

Parliamentary Committees Act 1968 — Response of the Attorney-General on the action taken with respect to the recommendations made by the Scrutiny of Acts and Regulations Committee's Final Report on Privacy Code of Conduct for Members of the Victorian Parliament

Peninsula Health — Report for the year 2001–02 (four papers)

Peter MacCallum Cancer Institute — Report for the year 2001–02

Pharmacy Board of Victoria — Report for the year 2001–02

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine Resorts Planning Scheme — No. C8

Ballarat Planning Scheme — Nos C50, C53 Part 1, C56, C59, C61, C63

Bass Coast Planning Scheme — No. C24

Baw Baw Planning Scheme — No. C21

Bayside Planning Scheme — C30

Brimbank Planning Scheme — Nos C40, C46, C47

Campaspe Planning Scheme — Nos C25, C26

Cardinia Planning Scheme — Nos C36, C38, C45

Central Goldfields Planning Scheme — Nos C3, C4

Darebin Planning Scheme — No. C16

East Gippsland Planning Scheme — Nos C12, C13, C17, C20

Frankston Planning Scheme — Nos C12 Part 1, C12 Part 2

Glen Eira Planning Scheme — Nos C27 Part 1, C27 Part 2

Glenelg Planning Scheme — No. C5 Part 1

Greater Bendigo Planning Scheme — Nos C45, C47

Greater Dandenong Planning Scheme — No. C29 Part 1

Greater Geelong Planning Scheme — Nos C25, C37, C57

Greater Shepparton Planning Scheme — No. C20, C24

Horsham Planning Scheme — Nos C10, C12, C15

Hume Planning Scheme — Nos C4, C13, C28, C29, C36

Kingston Planning Scheme — No. C29

Knox Planning Scheme — Nos C3, C4, C26, C34

Macedon Ranges Planning Scheme — No. C17

Manningham Planning Scheme — No. C20

Maribyrnong Planning Scheme — No. C6, C29, C33, C34

Maroondah Planning Scheme — No. C14

Melbourne Planning Scheme — Nos C20, C25, C68, C73

Mildura Planning Scheme — Nos C7, C13, C15

Mitchell Planning Scheme — No. C25

Monash Planning Scheme — Nos C12, C22, C23

Moonee Valley Planning Scheme — No. C28

Moreland Planning Scheme — No. C6

Mornington Peninsula Planning Scheme — Nos C23, C32, C35, C53, C54

Nillumbik Planning Scheme — Nos C17, C18, C23

Port of Melbourne Planning Scheme — No. L35

Port Phillip Planning Scheme — Nos C25, C38

Stonnington Planning Scheme — No. C29

Swan Hill Planning Scheme — Nos C8, C9

Victoria Planning Provisions — Nos VC15, VC17

Wangaratta Planning Scheme — Nos C9 Part 2, C14

Warrnambool Planning Scheme — Nos C12, C23

West Wimmera Planning Scheme — No. C4

Whitehorse Planning Scheme — Nos C4 Part 1, C14, C24, C35, C36, C43 Part 1

Whittlesea Planning Scheme — Nos C29, C30 Part 1, C43 Part 1, C46

Wyndham Planning Scheme — Nos C4, C11 Part 1, C36, C37, C43, C46

Yarra Planning Scheme — Nos C34, C39 Part 1, C42

Yarra Ranges Planning Scheme — Nos C19, C29

Plumbing Industry Commission — Report for the year 2001–02

Portland and District Hospital — Report for the year 2001–02

Portland Coast Region Water Authority — Report for the year 2001–02

Premier and Cabinet, Department of — Report for the year 2001–02

Public Employment Office — Report for the year 2001–02

Public Prosecutions — Report of the Director, Committee and Office for the year 2001–02

Queen Elizabeth Centre — Report for the year 2001–02

Robinvale District Health Services — Report for the year 2001–02

Rochester and Elmore District Health Service — Report for the year 2001–02

Royal Victorian Eye and Ear Hospital — Report for the year 2001–02

Seymour District Memorial Hospital — Report for the year 2001–02

South Eastern Regional Waste Management Group — Report for the year 2001–02

Southern Health — Report for the year 2001–02

South West Healthcare — Report for the year 2001–02

St Vincent's Health — Report for the year 2001–02 (four papers)

Statutory Rules under the following Acts:

Adoption Act 1984 — SR No. 129

Bail Act 1977 — SR No. 1/2003

Building Act 1993 — SR No. 132

Conservation, Forests and Lands Act 1987 — SR No. 17/2003

Corporations (Ancillary Provisions) Act 2001 — SR No. 122

Country Fire Authority Act 1958 — SR No. 111

County Court Act 1958 — SR Nos 125, 126, 127

Crimes Act 1958 — SR Nos 128, 2/2003

Dangerous Goods Act 1985 — SR No. 16/2003

Environment Protection Act 1970 — SR Nos 131, 10/2003

Fundraising Appeals Act 1998 — SR No. 106

Gaming Machine Control Act 1991 — SR No. 109

Health Act 1958 — SR No. 4/2003

Land Conservation (Vehicle Control) Act 1972 — SR No. 11/2003

Land Tax Act 1958 — SR No. 136

Magistrates' Court Act 1989 — SR Nos 105, 123, 8, 9/2003

Members of Parliament (Register of Interest) Act 1978 — SR No. 14

Metropolitan Fire Bridges Act 1958 — SR No. 111

Motor Car Traders Act 1986 — SR No. 130

National Parks Act 1975 — SR No. 108

Occupational Health and Safety Act 1985 — SR No. 16/2003

Parliamentary Committees Act 1968 — SR No. 13/2003

Parliamentary Salaries and Superannuation Act 1968 — SR No. 12/2003

Pay-roll Tax Act 1971 — SR No. 117

Petroleum (Submerged Lands) Act 1982 — SR No. 134

Police Regulation Act 1958 — SR No. 6/2003

Private Agents Act 1966 — SR No. 133

Road Safety Act 1986 — SR Nos 113, 114, 115, 116, 7/2003

Subordinate Legislation Act 1994 — SR Nos 110, 119, 120, 3, 5, 15/2003

Supreme Court Act 1986 — SR Nos 118, 121, 122

Trade Measurement (Administration) Act 1995 — SR No. 112

Trade Measurement Act 1995 — SR No. 112

Treasury Corporation of Victoria Act 1992 — SR No. 135

Victorian Civil and Administrative Tribunal Act 1998 — SR No. 124

Wildlife Act 1975 — SR No. 107

Stawell Regional Health — Report for the year 2001–02

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rule Nos 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 130, 5, 7, 15/2003

Ministers' exemption certificates in relation to Statutory Rule Nos 96, 98, 105, 106, 107, 108, 112, 113, 114, 115, 116, 133, 4, 12, 13, 14, 17/2003

Swan Hill District Hospital — Report for the year 2001–02

Tallangatta Health Service — Report for the year 2001–02

Terang and Mortlake Health Service — Report for the year 2001–02

Tourism Victoria — Report for the year 2001–02

Upper Murray Health and Community Services — Report for the year 2001–02 (two papers)

Urban and Regional Land Corporation — Report for the year 2001–02 (two papers)

Victoria Grants Commission — Report for the year ended 31 August 2002

Victoria Law Foundation — Report for the year 2001–02

Victoria Police — Report of the Office of the Chief Commissioner for the year 2001–02 (two papers)

Victorian Arts Centre Trust — Report for the year 2001–02

Victorian Civil and Administrative Tribunal — Report for the year 2001–02

Victorian Funds Management Corporation — Report for the year 2001–02

Victorian Health Promotion Foundation — Report for the year 2001–02

Victorian Government Purchasing Board — Report for the year 2001–02

Victorian Institute of Forensic Mental Health — Report for the year 2001–02

Victorian Multicultural Commission — Report for the year 2001–02

Victorian Relief Committee — Report for the year 2001–02

Wangaratta District Base Hospital — Report for the year 2001–02

Water Act 1989 — Water Supply Protection Area Declaration Orders 2002 for:

Olinda Creek Catchment

Steels, Dixons and Paul Creek Catchment

Stringybark Creek Catchment

Upper Loddon

Yarram

West Gippsland Healthcare Group — Report for the year 2001–02

West Wimmera Health Service — Report for the year 2001–02

Western District Health Service — Report for the year 2001–02

Western Health — Report for the year 2001–02

Wimmera Health Care Group — Report for the year 2001–02

Wodonga Regional Health Service — Report for the year 2001–02 (three papers)

Women's and Children's Health Service — Report for the year 2001–02

Wonthaggi and District Hospital — Report for the year 2001–02

Yarram and District Health Service — Report for the year 2001–02 (two papers)

Yarrawonga District Health Service — Report for the year 2001–02

INTERPRETATION OF LEGISLATION (AMENDMENT) BILL

Introduction and first reading

Mr BRACKS (Premier) — In accordance with the usual practice and in order to preserve the privileges of the house, I move:

That I have leave to bring in a bill to amend the Interpretation of Legislation Act 1984.

Motion agreed to.

Read first time.

TERRORISM (COMMUNITY PROTECTION) BILL

Introduction and first reading

Mr BRACKS (Premier), by leave, introduced a bill to provide for the prevention of and response to terrorist acts, to amend the Freedom of Information Act 1982 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Read first time.

CONSTITUTION (PARLIAMENTARY REFORM) BILL

Introduction and first reading

Mr BRACKS (Premier), by leave, introduced a bill to reform the Parliament of Victoria, to amend the Constitution Act 1975 and the Electoral Act 2002, to consequentially amend certain acts and for other purposes.

Read first time.

PARLIAMENTARY COMMITTEES (AMENDMENT) BILL

Introduction and first reading

Mr BRACKS (Premier) — By leave, I move:

That I have leave to introduce a bill to amend the Parliamentary Committees Act 1968 and for other purposes.

Mr Doyle interjected.

The SPEAKER — Order! An explanation of the bill, please, for the Leader of the Opposition.

Mr BRACKS (Premier) (*By leave*) — It amends the Parliamentary Committees Act to allow for several new parliamentary committees on education and training and rural and interface council areas. This will provide for those areas which obviously and importantly need to be addressed by all-party parliamentary committees. They amount to the substantive matters associated with this act.

Motion agreed to.

Read first time.

COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL

Introduction and first reading

Mr THWAITES (Minister for Environment) — By leave, I move:

That I have leave to bring in a bill to provide for a Commissioner for Environmental Sustainability, to facilitate a periodical report on the state of the environment of Victoria and annual reporting on the implementation of environmental management systems, to consequentially amend the Public Sector Management and Employment Act 1998, and for other purposes.

Mr PLOWMAN (Benambra) — I request the minister to provide the house with a brief explanation of the bill.

Mr THWAITES (Minister for Environment) (*By leave*) — This bill provides for a Commissioner for Environmental Sustainability and will facilitate reports on the state of the environment and the auditing of environmental practices through government agencies.

Motion agreed to.

Read first time.

FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL

Introduction and first reading

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

That I have leave to bring in a bill to amend the Firearms Act 1996, the Magistrates' Court Act 1989 and for other purposes.

Mr WELLS (Scoresby) — Will the minister give a brief outline of what this bill entails?

Mr HAERMEYER (Minister for Police and Emergency Services) (*By leave*) — The bill will facilitate amendments to firearms regulations, particularly the hand-gun provisions that were agreed to at the recent meeting of the Council of Australian Governments.

Motion agreed to.

Read first time.

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

Introduction and first reading

Mr BRUMBY (Treasurer), by leave, introduced a bill to amend the Payroll Tax Act 1971 to grant an exemption from payroll tax in respect of paid maternity leave and paid adoption leave and for other purposes.

Read first time.

RETAIL LEASES BILL

Introduction and first reading

Mr BRUMBY (Treasurer), by leave, introduced a bill to provide a new regulatory scheme for retail leases, to amend and repeal the Retail Tenancies Reform Act 1998, to amend the Retail Tenancies Act 1986 and make minor amendments to certain other acts and for other purposes.

Read first time.

SMALL BUSINESS COMMISSIONER BILL

Introduction and first reading

Mr BRUMBY (Treasurer), by leave, introduced a bill to establish the office of Small Business Commissioner and to amend the Liquor Control Reform Act 1998 and the Victorian Civil and Administrative Tribunal Act 1988 and for other purposes.

Read first time.

OUTWORKERS (IMPROVED PROTECTION) BILL

Introduction and first reading

Mr HULLS (Minister for Industrial Relations), by leave, introduced a bill to improve the protection of outworkers in the clothing industry, to establish an Ethical Clothing Trades Council of Victoria and for other purposes.

Read first time.

FEDERAL AWARDS (UNIFORM SYSTEM) BILL

Introduction and first reading

Mr HULLS (Minister for Industrial Relations), by leave, introduced a bill to amend the Commonwealth Powers (Industrial Relations) Act 1996 to refer to the Parliament of the commonwealth a further matter relating to industrial relations, to empower the Victorian Civil and Administrative Tribunal to make orders applying federal award conditions as common rules in Victoria and for this purpose to amend the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Read first time.

HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL

Introduction and first reading

Ms PIKE (Minister for Health) — By leave, I move:

> That I have leave to bring in a bill to amend the Infertility Treatment Act 1995 so as to make fresh provision for the regulation of certain activities involving the use of human embryos and for the prohibition of human cloning and certain other practices associated with reproductive technology, to make consequential amendments to the Gene Technology Act 2001 and certain other acts and for other purposes.

Mr DOYLE (Leader of the Opposition) — Could I ask the minister for a brief explanation of that bill, in particular why it is brought in as a single bill and not split into two bills?

Ms PIKE (Minister for Health) (*By leave*) — This bill is a consequential piece of legislation following agreement at the Council of Australian Governments meeting. That was then followed by legislation brought into the commonwealth Parliament to prohibit the act of cloning and also to allow excess embryos that had been formed under human reproductive technology prior to 5 April 2002 to be used for scientific purposes and for the creation of stem cell lines.

It is the determination of the government that it will proceed to introduce this legislation as a single act, because it really is consequential legislation that amends acts of parliament here in Victoria.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Parliamentary documents

Mr BATCHELOR (Minister for Transport) — By leave, move:

That:

(1) this house authorises the publication in written or electronic form of any report, paper, votes or proceedings within the meaning of section 73 of the Constitution Act 1975 by such persons, officers or servants as may be nominated in writing from time to time by the Speaker;

(2) this resolution shall continue in force unless and until amended or rescinded by the house in this or a subsequent Parliament.

By way of explanation, under section 73 of the Constitution Act court proceedings relating to the publication of reports and papers must be stayed when the publication of such documents can be shown to be by order of the house. The motion we are debating now provides the necessary authorisation for publication in relation to the present Parliament. A resolution in equivalent terms was made by the house on 13 May 1998, and accordingly this facilitates the continuing publication of these reports and attaches a privilege to them.

Mr DOYLE (Leader of the Opposition) — I would like an assurance from the minister that, while this is an appropriate and modern reform for the house, if something were to be put on the web adequate notice would be given to members so that, for instance, it would not be put up there without members knowing that it was published in that form.

Mr BATCHELOR (Minister for Transport) (*By leave*) — This provides for the publication of material in the standard way. The material that is published in hard copy as a result of proceedings in the house is now able to be also published in an electronic way.

Motion agreed to.

Proclamations of acts

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That this house authorises and requires the Clerk to lay on the table copies of proclamations of the Governor in Council fixing dates for the coming into operation of acts published in the *Government Gazette* from time to time.

Motion agreed to.

Sessional orders

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That the following sessional orders be adopted, to come into operation with effect from the next sitting day —

1. Days and times of meeting

Unless otherwise ordered, the house will meet each Tuesday at 2.00 p.m., and each Wednesday and Thursday at 9.30 am.

2. Order of business

So much of standing orders are suspended so as to allow:

(1) Government business to take precedence over all other business except:

(a) for motions of want of confidence in the government; and

(b) as provided for in sessional orders 3, 4, 8, 9, 12, 14 and 17.

(2) Unless a matter concerning the privileges of the house arises, the order of business will be:

Tuesdays

Question time
Formal business
Statements by members (sessional order 8)
Government business
General business

Wednesdays

Formal business
Statements by members (sessional order 8)
Matter of public importance (sessional order 9) or grievance debate (sessional order 4)
Statements on parliamentary committee reports (sessional order 17)
Government business
Question time (at 2.00 p.m.)
Government business *continued*
General business

Thursdays (and Fridays)

Formal business
Statements by members (sessional order 8)
Government business
Question time (at 2.00 p.m.)
Government business continued
General business

3. Question time

So much of standing order no. 124 as allows members to ask oral questions without notice at the time of giving notices of motion is suspended to allow the following procedure:

(1) Members are able to ask oral questions without notice at 2.00 p.m. each sitting day (question time) except on a Tuesday when precedence is given to condolences under sessional order 12, with question time following immediately afterwards.

(2) Question time will last for 30 minutes or until 10 questions have been answered, whichever is the longer — provided that these sessional orders do not allow more than one question time each sitting day.

(3) At 2.00 p.m. on each sitting day (other than a Tuesday), unless a division is taking place:

(a) the Speaker will interrupt the business before the house; or

(b) if the house is in committee, the Chairman will report progress and the Speaker will then interrupt business —

and the bells are then rung for 1 minute.

(4) If a division is taking place at 2.00 p.m., it will be completed without interruption and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the house will also be dealt with. Business is then interrupted following the procedure in paragraph (3).

(5) Any business under discussion and not completed at 2.00 p.m. will be resumed immediately at the end of question time. Any member speaking at the time of the interruption may then continue his or her speech.

(6) All questions will be direct, succinct and seek factual information.

(7) All answers to questions will be direct, factual and succinct.

4. Grievances

Standing order no. 59 is suspended to allow the following procedure:

(1) A debate on the question 'That grievances be noted' will take place on the first sitting Wednesday of each autumn and spring sitting period and every subsequent third sitting Wednesday.

(2) The debate will be the first order of the day after statements by members and will last for 2 hours, or until eight members have spoken, whichever is the shorter.

(3) Subject to paragraph (2), any member may speak in the debate for a maximum of 15 minutes.

5. Adjournment of the house

Despite the right of a minister to move a motion for the adjournment of the house under standing order no. 25:

(1) At 10.00 p.m. each sitting day, unless a division is taking place:

(a) the Speaker will interrupt the business before the house; or

(b) if the house is in committee, the Chairman will report progress and the Speaker will then interrupt business.

(2) If a division is taking place at 10.00 p.m., it will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the house will also be dealt with. Business is then interrupted following the procedure in paragraph (1).

(3) After the interruption:

(a) before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued. That motion must be put immediately without amendment or debate. If it is agreed to, the house or committee will resume debate at the point at which it had been interrupted; or

(b) if a motion is not moved, the Speaker will immediately propose the question 'That the house now adjourns'. The question may be debated in accordance with the rules and practices of the house and paragraph (5). At the end of the debate, the Speaker will adjourn the house, without putting any question, until the next sitting day.

(4) Where the house adjourns under subparagraph (3)(b), any business under discussion and any other business not concluded at the time of the adjournment will be listed on the notice paper for the next sitting day. Any member speaking at the time of the interruption may, when debate resumes, continue his or her speech.

(5) Debate on the motion 'That the house now adjourns' will last for a maximum of 30 minutes or until 10 members have spoken, whichever is the shorter. Subject to such overall time period, the time limit for each member speaking in the debate is 3 minutes. Immediately afterwards a period of 30 minutes in total will be provided for ministers to respond.

6. Government business program

So much of standing orders are suspended to allow the programming of government business and the following procedures:

Agreement of program and later amendment

(1) Before the house meets in any week:

(a) the Leader of the House, the Deputy Leader of the Opposition and the Deputy Leader of the Third Party, or their nominees, may meet as a business committee to try to agree how the house will deal with government business that week;

(b) after each meeting has finished, the outcome may be made public by any member of the business committee.

(2) On the first day of the sitting week:

(a) before government business is called on, the Leader of the House, or his or her nominee, may move, without leave, a motion setting times and dates (the completion time) by which consideration of specified items of government business and/or government bills must be completed in that sitting week;

(b) the debate will last for 30 minutes or until six members have spoken, whichever is the shorter;

(c) subject to subparagraph (b), the time limit for each member speaking in the debate is 5 minutes.

(3) After a special meeting of the business committee:

(a) the Leader of the House, or his or her nominee, at a change of business and without leave, may move a motion to amend the resolution agreed under paragraph (2);

(b) the debate will last for 30 minutes or until six members have spoken, whichever is the shorter;

(c) subject to subparagraph (b), the time limit for each member speaking in the debate is 5 minutes;

(d) any change to the program comes into operation 1 hour after the motion is agreed to.

Circulation of amendments

(4) The following provisions apply to the circulation of amendments:

(a) amendments may be circulated under sessional order 15; and

(b) during consideration of amendments made or suggested by the Legislative Council:

(i) a member may announce and circulate amendments to be proposed to the Council amendments, without leave but not when another member is speaking;

(ii) the announcement and request to circulate may not be debated.

(c) Amendments circulated under subparagraphs (a) or (b) may only be considered at the completion time in accordance with this sessional order if they have been circulated not less than 2 hours earlier.

Interruption at completion time

(5) At the completion time, if there are specified bills or items of business to be completed:

(a) unless a division is taking place, the Chair or Chairman will interrupt the business before the house or committee;

(b) if a division is taking place:

(i) it will be completed without interruption and the result announced;

(ii) if it is on a closure motion in relation to a non-specified bill or item of business, and the motion is agreed to, the question or questions then required to be put to close the issue before the house will also be dealt with;

(iii) the Chair or Chairman then interrupts business.

Where a specified item of business of bill is being debated at the interruption

(6) In the case of a specified item of business being considered at the interruption, the Chair will immediately put the question on any amendment and/or motion already proposed from the Chair, in order to conclude proceedings on the item.

(7) In the case of a specified bill being considered in committee at the interruption:

(a) the Chairman will immediately put the question or questions:

(i) on any amendment or motion proposed from the Chair;

(ii) to dispose of any amendments, new clauses and new schedules required by the government which have been circulated under paragraph (4) — no other amendments, new clauses or new schedules will be proposed; and

(iii) to dispose of the bill in committee.

(b) the Chairman will report to the house without a question being put;

(c) in the house, the Chair will, subject to paragraph (16), combine any remaining questions necessary for the bill to be passed and communication with the Legislative Council to be agreed.

(8) In the case of a specified bill being considered by the house at the interruption:

(a) the Chair will immediately put the question on any amendment or motion already proposed from the Chair;

(b) the committee stage of the bill is dispensed with;

(c) after resolution of any question or questions required by subparagraph (a) the Chair will immediately, subject to paragraph (16), combine any remaining questions necessary:

(i) to dispose of any amendments, new clauses and new schedules required by

the government which have been circulated under paragraph (4) — no other amendments, new clauses or new schedules will be proposed;

(ii) to dispose of amendments made or suggested by the Legislative Council; and

(iii) for the bill to be passed and communication with the Legislative Council to be agreed.

Where non-specified business is being debated at the interruption

(9) Paragraphs (10) to (12) apply if, at the interruption, the house is considering a non-specified item of business or bill, and there are specified bills or items of business to be concluded.

(10) Where a bill is being considered in committee at the time of the interruption, the Chairman, subject to paragraph (5), will immediately report progress without a question being put.

(11) Following the interruption, or after progress has been reported under paragraph (10), the house will immediately consider the specified items of business or bills following the procedure under paragraphs (13) to (16).

(12) Any business under discussion and not completed at the time of the interruption will be resumed immediately after all specified items of business and bills have been dealt with. Any member speaking at the time of the interruption may then continue his or her speech.

Procedure for remaining items of specified items of business or bills

(13) The Chair will direct the Clerk to call on each relevant order of the day in turn.

(14) In the case of any remaining specified items of business, the Chair will put a combined question (if required) in order to conclude the proceedings.

(15) In relation to any remaining specified bills:

(a) the committee stage is dispensed with for bills before the house;

(b) the remaining committee stages are dispensed with for bills being considered in committee; and

(c) for all bills the Chair will, subject to paragraph (16), combine any remaining questions necessary:

(i) to dispose of any amendments, new clauses and new schedules required by the government which have been circulated under paragraph (4) — no other amendments, new clauses or new schedules will be proposed;

(ii) to dispose of amendments made or suggested by the Legislative Council;

(iii) for the bill to be passed and communication with the Legislative Council to be agreed.

Where questions cannot be combined

(16) The Chair will not put combined questions under paragraphs (7), (8) or (15) in the following circumstances:

(a) where the second and third readings of a bill must be passed with an absolute majority of the whole number of the members of the Legislative Assembly, the questions for the second and third readings, as appropriate, must be put separately;

(b) where amendments made or suggested by the Legislative Council are being considered, the Chair will put separate questions for each amendment — provided that if no member objects, any, or all, of the questions may be combined, except where the amendments must be passed with an absolute majority of the whole number of the members of the Legislative Assembly.

Points of order and motions

(17) The Chair will not accept any points of order once the completion time has arrived until all the required questions under paragraphs (6), (7), (8), (14), (15) or (16) have been dealt with.

(18) Standing and/or sessional orders relating to closure of debate (except for the use of the closure on dilatory motions) or guillotine shall not apply to any proceedings in respect of a specified item of business or bill.

7. Right of reply

(1) Where a person (the applicant) has been referred to in the house by name, or in such a way as to be readily identified, he or she can send a written submission (the submission) to the Speaker asking for an appropriate response to be incorporated into the parliamentary record.

(2) The submission must include a claim that, as a result of the reference:

(a) the applicant has been adversely affected:

(i) in reputation; or

(ii) in relation to dealings or associations with others; or

(b) the applicant has been injured in connection with his or her occupation, trade, office or financial credit; or

(c) the applicant's privacy has been unreasonably invaded.

(3) The Speaker will refer the submission to the Privileges Committee (the committee) if the Speaker is satisfied that:

(a) the subject of the submission is not so obviously trivial, or the submission so frivolous, vexatious or offensive in character, as to make it inappropriate that it be considered by the committee; and

(b) that it is practicable for the committee to consider the submission under this sessional order.

(4) When a submission is referred, the secretary of the committee will contact the applicant to draw his or her attention to the committee's guidelines for preparing a brief draft statement in a correct form for incorporation.

(5) The committee may decide not to consider a submission referred to it if:

(a) it considers that the subject of the submission is not sufficiently serious; or

(b) it considers that the submission is frivolous, vexatious or offensive in character; or

(c) the submission was received more than six months after the relevant comments were made in the house and the applicant has not shown exceptional circumstances to explain the delay —

and will report any such decision to the house.

(6) If the committee decides to consider a submission, it may hold discussions with the applicant and any member who referred to the applicant in the house.

(7) The committee will meet privately when considering a submission.

(8) The committee will not publicly release a submission, or its proceedings in relation to a submission, but may present to the house minutes of its proceedings and all or part of a submission.

(9) In considering a submission and reporting to the house, the committee will not consider or judge the truth of:

(a) any statements made in the house; or

(b) the submission.

(10) In its report to the house, the committee may make either of the following recommendations:

(a) that no further action should be taken by the house in relation to the submission; or

(b) that a response by the applicant, set out in the report and agreed to by the applicant and the committee, should be published by the house or incorporated in *Hansard*.

(11) The committee will not make any other recommendations.

(12) A document presented to the house under paragraphs (8) or (10):

(a) in the case of a response by an applicant, will be succinct and strictly relevant to the questions in issue and will not contain anything offensive in character; and

(b) will not contain any matter, the publication of which would have the effect of unreasonably:

(i) adversely affecting or injuring a person; or

(ii) invading a person's privacy, in the manner referred to in paragraph (2); or

(iii) adding to or aggravating any such adverse effect, injury or invasion of privacy.

(13) The committee may agree to guidelines and procedures relating to its consideration of submissions, providing they are consistent with this sessional order.

8. Statements by members

(1) After formal business each sitting day members may make statements on any topic of concern during a maximum period of 30 minutes.

(2) Subject to paragraph (1), the time limit for each member making a statement is 90 seconds, the call being allocated between members according to party/individual representation in the house.

9. Matters of public importance

standing order nos 26 and 27 are suspended to allow the following procedure:

(1) Except on grievance days under sessional order 4, precedence will be given to matters of public importance immediately after statements by members each sitting Wednesday.

(2) A member may propose to the Speaker a definite matter of public importance to be submitted to the house for discussion. In considering which proposals to accept the Speaker will:

(a) alternate between those made by non-government members and those by government members;

(b) accept proposals from non-government members on a pro-rata basis according to the non-government representation in the house, the Speaker having full discretion in making and putting into effect the apportionment.

(2) A member proposing a matter must give the Speaker a written statement of the proposal by

4.00 p.m. on the day before the day of the discussion.

(3) If more than one member proposes a matter for discussion on the same day, the Speaker will decide which one to consider under paragraph (4).

(4) The Speaker will decide whether the proposal is in order and, by 5.30 p.m. on the day before discussion, will give details of the proposal which has been accepted to the leader of each party and the Independents.

(5) Only one matter will be discussed on any one sitting day.

(6) On the day of the discussion the Speaker will read the proposal to the house and will then call the member making the proposal to speak.

(7) The discussion will be no longer than 2 hours, the first government and non-government speakers may speak for a maximum of 15 minutes and any other member for a maximum of 10 minutes. The call is to alternate between government and non-government speakers.

(8) At any time during the discussion, a motion may be moved by any member 'That the business of the day be called on'. The motion will be put immediately and decided without amendment or debate and, if agreed to, statements on parliamentary committee reports under sessional order 17 will be called on immediately. No other question seeking to end the discussion can be proposed.

10. Disorderly conduct of members

So much of standing order no. 117 is suspended to allow the following procedure where the Speaker or Deputy Speaker considers the conduct of a member to be disorderly:

(1) The Speaker or Deputy Speaker may order the member to withdraw from the house for up to $1^1/_2$ hours. That order is not open to debate or dissent.

(2) The member, whilst suspended, may still return to the chamber to vote in a division.

(3) If a member is ordered to withdraw under paragraph (1) and the house adjourns before the end of the suspension period, the member, subject to paragraph (2), will not return to the chamber on the next sitting day until the remaining time has expired. Time is calculated from the end of the ringing of the bells.

(4) If a member does not immediately withdraw from the house when ordered to do so under paragraph (1), the Speaker or Deputy Speaker may name the member under standing order no. 117.

(5) Where the Deputy Speaker names the member, he or she will immediately report the matter to the Speaker.

(6) The Speaker, after naming the member or receiving a report under paragraph (5), will immediately put the question, on a motion being made, 'That such member be suspended from the service of this house'.

11. Time limit of speeches

(1) Standing order no. 103 is amended by omitting 'No such reply shall exceed 20 minutes in the case of a substantive motion or in any other case 15 minutes'. and inserting 'A reply will be for a maximum of 15 minutes'.

(2) Standing order no. 104 is suspended and a member may speak for the specified period in the following debates:

Appropriation bills — second reading

Mover ..... unlimited
Lead speaker in response from opposition .. unlimited
Lead speaker in response from third party .. 1 hour
Any other member ..... 15 minutes

Government bills (excluding appropriation bills) — second reading

Mover ..... unlimited
Lead speaker in response from opposition .. 30 minutes*
Lead speaker in response from third party .. 20 minutes*
Any other member ..... 10 minutes

*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

Private members' bills — second reading

Mover ..... 30 minutes
Lead speakers in response from government and/or opposition, each..... 30 minutes
Lead speaker in response from third party .. 20 minutes
Any other member ..... 10 minutes

All bills — committee of the whole

Mover ..... unlimited (in time and how often a mover may speak to a question)
Any other member ..... twice on each question, 5 minutes each time

Motions other than procedural motions

Mover ..... 30 minutes
Lead speakers in response from government and/or opposition, each..... 30 minutes
Lead speaker in response from third party .. 20 minutes
Any other member ..... 10 minutes

Procedural motions

These time limits apply to procedural motions, dilatory

motions[1] and debate on the question that remaining business be postponed.

All members ..... 5 minutes
(subject to the overall time period) (maximum of 6 speakers or 30 minutes total debating time, whichever is the shorter)

No-confidence motions

Mover ..... unlimited
Lead speaker in response from opposition .. unlimited
Lead speaker in response from third party... 1 hour
Any other member..... 15 minutes

Address-in-reply

Mover and seconder, each..... 20 minutes
Any other member..... 15 minutes

12. Condolences

Precedence on a Tuesday will be given to:

(1) A condolence motion in the event of the death of:

(a) a sitting member or a member from the preceding Parliament;

(b) a past or present Governor, Premier, Presiding Officer, Leader of the Opposition, leader of a recognised political party, Leader of the Government or Opposition in the Legislative Council; or

(c) a person who had previous distinguished ministerial service or other distinguished service in Victoria.

(2) An announcement by the Speaker in relation to the deaths of former members not referred to in paragraph (1). After the announcement the Speaker will ask members to rise in their places as a mark of respect to the memory of the deceased. The Speaker will then send a message of sympathy from the house to the relatives of the deceased —

provided that, if condolences under both paragraphs (1) and (2) are due to be expressed on the same sitting day, the announcement/s under paragraph (2) will be made first.

13. Reading of petitions

So much of standing order no. 248B is suspended so as to allow:

(1) A member to read the terms of a petition and the number of signatories during statements by members under sessional order 8.

(2) Prior notice of not less than one day must be given to the Clerk and the Clerk's confirmation received that the petition complies with standing orders.

(3) After reading the details under paragraph (1) the member must give the petition to the Clerk and cannot later move that the petition be taken into consideration under standing order no. 248C.

14. General business

Despite the provisions of these sessional orders, any general business notice/s of motion and/or order/s of the day may, at the discretion of the government, be called on in total or partial substitution of a discussion of a matter of public importance under sessional order 9.

15. Circulation of amendments

Amendments to be proposed in the committee of the whole to a bill may be circulated as follows:

(1) During the debate on the question 'That this bill be now read a second time' a member, without leave but not when another member is speaking, may announce amendments to that bill and ask that they are circulated.

(2) The announcement and request to circulate may not be debated.

(3) Following circulation, the member may discuss the principles of the amendments during the second reading debate.

16. Introduction and first reading of bills

So much of standing order no. 48 is suspended so as to allow a minister to introduce a bill under standing order no. 128 without having given notice on a previous sitting day.

17. Statements on parliamentary committee reports

(1) On a sitting Wednesday, immediately after the grievance debate or matter of public importance, as the case may be, members may make statements on any parliamentary committee reports tabled in the house during the current Parliament.

(2) The overall time period for such statements is 30 minutes or until six members have spoken, whichever is the shorter.

(3) Subject to paragraph (2), the time limit for each member making a statement is 5 minutes.

18. Ministerial statements

A minister may make a statement at a change in government business and without leave on the following basis:

(1) The minister must give not less than 2 hours notice to the leaders of the opposition and the third party or their nominees, and the Independent members.

[1] For example, motions such as 'That the Chairman do leave the Chair', 'That the debate be now adjourned' and 'That the question be now put'.

(2) The minister must hold discussions with the leaders, or their nominees, at the time of giving notice about the number of members to speak in reply. Following those discussions the minister must determine the number and advise the Speaker. The Speaker will announce the decision prior to calling the minister to make the statement.

(3) The minister may speak for no more than 20 minutes. In responding the lead speaker for the opposition may speak for a maximum of 20 minutes. Subject to the determination made under paragraph (2), any other member may speak for a maximum of 10 minutes.

19. Divisions

(1) Standing order no. 177 is amended by omitting 'and turn a 2-minute sandglass, kept on the table for that purpose, and the doors shall not be closed until after the lapse of 2 minutes, as indicated by such sandglass' and inserting 'for 3 minutes as indicated by the timer, during which the doors are kept open'.

(2) Standing order no. 178 is amended by substituting '3 minutes' for '2 minutes'.

(3) Despite paragraphs (1) and (2), where successive divisions occur, the Chair may direct the bells to be rung for 1 minute only.

(4) Standing order no. 179 is amended by substituting 'two or more tellers' for 'two tellers'.

This is a procedural motion that is required to be moved at the commencement of a parliamentary session to provide sessional orders that will facilitate orderly and efficient debate in this chamber during the life of this Parliament.

In essence it takes the sessional orders that were in place in the last Parliament, identifies those areas where there were anomalies or procedural difficulties and acknowledges the new composition of this chamber to provide what we believe are sessional orders that will increase opportunities for individual members — whether they are Independents or from the government or non-government side — to speak. The motion is about increased participation and about protecting the opportunities of individual members to make worthwhile contributions in this chamber. We have identified those parts of the old sessional and standing orders, and their interaction, that prevented or made it difficult for honourable members to properly contribute.

The sessional orders also acknowledge one of the informal relationships that applied during the last session, where parties across the chamber tried to provide opportunities for additional speakers by reducing the amount of time they spoke. The new sessional orders reflect those smooth operational procedures which were in place but which were often thwarted and undone by selfish individuals who used up more than their fair share of available time. We are setting in place a mechanism to protect the rights of individual members of Parliament and to provide further opportunities.

During the course of this debate I suspect we will hear interjections from those members of Parliament who are in the selfish category — members who want to use more parliamentary time for themselves — but we will deal with that later.

Honourable members interjecting.

Mr BATCHELOR — They are identifying themselves, and the only one who is not is the honourable member for Doncaster. It is a pity he is not in the chamber, because if he were he would be already taking points of order given that he is one of those honourable members who consumes more than his limited amount of parliamentary debate. It is a pity that the honourable member is not here, because he would be demonstrating his desire to have more than his fair share, as he has demonstrated so many times in the past.

The sessional orders will achieve that by doing a number of different and separate things through a number of interrelated measures. We firstly intend to double the time available for 90-second members statements. Members statements were an initiative of the government to provide opportunities for members of the chamber to raise matters on their own initiative. They are a very popular and well-sought-after part of the parliamentary timetable, because on so many occasions it is difficult for backbench members of Parliament to contribute. This will expand the range of opportunities for individual members to do that.

During members statements honourable members can look after their electorates and acknowledge people who have contributed to society. They can use the time to bring the government to account, or they can refer to the work they have been doing as members of Parliament. It is a part of the parliamentary timetable that is not constricted, constrained or limited by the rules that sometimes apply during other times of parliamentary debate. Members statements are a very popular initiative.

The government is introducing a new initiative to provide time in the parliamentary timetable for debate on parliamentary committee reports. On many occasions in the past members of parliamentary

committees have often complained that they have not had the time or the opportunity to amplify the work they have carried out during a parliamentary inquiry that culminates in the presentation of a report to the chamber. We propose that once the work of the parliamentary committees has produced reports that are tabled, an opportunity will be provided for those reports to be debated on a regular basis. It is envisaged that this will take place on a Wednesday. In another part of the proposals the time for matters of public importance and grievances has been reduced to accommodate this additional and new feature of the parliamentary timetable.

This new parliamentary feature will operate in the following way: half an hour will be provided and individual members can make a 5-minute contribution. So they will be given very wide coverage to talk about parliamentary committee reports, and in some ways it gives them access to the chamber in a more traditional way. Rather than just tabling a report and that being the end of it until the government gives its formal response, they will be able to make a contribution, as they should.

Mr Plowman — What about minority reports?

Mr BATCHELOR — The interjection by the honourable member for Benambra asked whether — —

The DEPUTY SPEAKER — Order! The Leader of the House knows interjections are disorderly, as does the honourable member for Benambra. To respond to them is also disorderly.

Mr BATCHELOR — Thank you, Deputy Speaker. Another feature of the new changes we propose — —

An honourable member interjected.

Mr BATCHELOR — I do not take up disorderly interjections, so I shall not respond to your interjection, either.

An Honourable Member — You are telling me that you are not going to respond to me?

Mr BATCHELOR — That is right. Not only will we be providing more time for individual members to speak, but one of the other changes we are proposing is to impose some discipline to better predict when things will take place in the chamber. People often want to come into the Parliament and listen. You can see the public gallery is not full today.

An honourable member interjected.

Mr BATCHELOR — You ought to stand up! By introducing the interaction of certain mechanisms to ensure predictable length of debates we will be in a much better position to be able to know when certain bills are going to come on for debate, and people will be given much greater opportunity to come in and observe what is happening in the chamber. You cannot do that at the moment; it is very difficult because of the unpredictable length of second-reading debates during an ordinary parliamentary week.

One of the mechanisms we will be using to provide that predictability will be to limit the lead speaker's time. For many years lead speakers across the political spectrum have often spoken for far too long. They took up the precious time of the Parliament, but more importantly they took up the debating time of their fellow parliamentarians.

Honourable members interjecting.

Mr BATCHELOR — I hope you do, it will be a very successful, strong debating point. Some honourable members during the last parliamentary session consumed more than their fair share of the debate. What was the effect of that? It prevented other honourable members from their own side and the other side from contributing. We tried to overcome that as a Parliament with informal arrangements, and often they were successful, but often they were not. There are some monumental examples of honourable members speaking for far too long during the last parliamentary session. It is interesting that many of the honourable members who are guilty of that offensive parliamentary greed are recidivists, but there is absolutely no need for it. In effect they are showing they believe their views and contributions are more important than those of anybody else. It is the height of arrogance. The opposition and the National Party will articulate this line today — —

Honourable members interjecting.

Mr BATCHELOR — They are acknowledging it already. They will articulate the line that their views are more important than those of anybody else. They are more equal than everybody else! They should take the debating time and opportunity of everybody else! We do not think that is the appropriate way to go.

An honourable member interjected.

Mr BATCHELOR — That's right, they are building the case. I said before that no one side of politics, neither the government nor the opposition, is virtuous on this; they have both been guilty in the past. That is why we are putting this into the sessional

orders. We are codifying ways of undermining that parliamentary greed, because when an honourable member speaks for 1, 2 or 3 hours, as occurred during the last parliamentary session, it prevents other people from making a contribution. There is no need to ramble on for 1, 2 or 3 hours, because if a number of points need to be made, they can be made by subsequent speakers, and that often happens.

What we are proposing in terms of debating legislation is to limit the excesses to half an hour. That is a reasonable amount of time, and I am sure during the normal passage of legislation all points can be made in half an hour. If you cannot say it in half and hour, or even 15 minutes, you should give up. If you cannot say it in half an hour, get somebody else to say it. Share your knowledge, share your information. I know this is an alien concept, particularly among the members of the Liberal Party where there is no sharing and no caring, but we suggest that that is one way they could adequately deal with it.

Certainly we on the Labor side, on the government side, are prepared to have people other than ministers and parliamentary secretaries — we want to engage our back bench in parliamentary debate and we also want to engage those on the back bench of the Liberal and National parties.

Just look at some of the marathon speeches. The honourable member for Box Hill, who is in the chamber at the moment, was one of the worst offenders. There were occasions — like last May, where he went on for 3 hours and 33 minutes — where he bored everybody witless. On another occasion, on the Building (Single Dwellings) Bill, he managed to go for 1 hour and 7 minutes on single dwellings. On numerous occasions he has droned on and on. What is interesting to note — —

An honourable member interjected.

Mr BATCHELOR — Yes, let us talk about the content. Who can remember one point that he made in any of them?

Honourable members interjecting.

Mr BATCHELOR — Who can remember? Nobody. Let us go back to when they were made. Were they ever reported? Was anybody interested in them? No way — there was no coverage whatsoever, as far as I can remember. So hours upon hours, days upon days, have been needlessly wasted in this chamber by people who think that what they have to say is more important than everybody else. That is the height of arrogance; it is the height of pomposity, so the government is putting in place sessional orders that will limit the pompous debate that will take place.

How will it work? It is expected that with legislation the minister, in giving the second-reading speech, will not exceed 30 minutes. If on rare occasions that is necessary because of the technical and formal requirements of the second-reading speeches, that additional amount of time will be made available to the opposition lead speaker and the lead speaker for the third party. They will get that same amount of additional time.

Mr Doyle interjected.

Mr BATCHELOR — I hear the Leader of the Opposition say, 'What a generous change that is'. We appreciate his support of that particular element. Of course he himself is not unknown to have spoken a bit long in the chamber, but I am sure he would understand and acknowledge that there is no point to be made in going on and on ad nauseam.

The government is also making some other changes in relation to formalising the code for ministerial statements. In sessional orders in the past there has never been a process of, in a formal way, dealing with ministerial statements, and we thought it was appropriate for ministerial statements to be codified to enable them to proceed in an identifiable way. In preparing these sessional orders we also sought some advice from the clerks on whether there were any matters of a minor technical nature that would assist in the facilitation of that, and we have tried to accommodate those.

The thrust of these sessional orders is that they come from the government, they are there to set out and achieve those objectives, and they are a set of interrelated measures that will help make the passage of legislation more predictable and help give individual members more time to speak. I point out that the sessional orders that have been tabled in Parliament today, by leave — and I thank the Parliament for that assistance — have been previously made available to the parties and to the Independents on Monday of this week. That is in stark contrast to the way that proposed changes and new sessional orders were made available to the opposition when the Liberals were in government, when they were just made available on the day that they were tabled in Parliament.

The government has done that in order to make sure that people had the opportunity to understand the reasoning for them, to rise above the cheap shots that

have been fired today and try to understand the logic behind these.

One can assume that, later on today, given the interjections that have taken place, both the Liberal and National parties will prefer to stay with the status quo rather than see these important improvements and changes take place. So later on today — if that is the case; I am pre-empting the debate in some respects, but that has been the attitude across the table — it will be a choice between those who want a parliamentary procedure which is based on pomposity and which provides for rambling and incoherent, verbose and boring speeches, and one which is driven by a debate and legislative process which is erudite, succinct, precise and factual. That is essentially what these sessional orders are all about, and I ask the house to give them its full support.

Mr DOYLE (Leader of the Opposition) — Deputy Speaker, I also congratulate you on your elevation to your office; in fact, part of our discussion today will centre on some quite profound changes which have taken place with your office — changes which have not been seen in this Parliament before.

It is difficult to know with what emotions one approaches these sessional orders. You could understand anger, you could understand a kind of sorrow, and I guess, if you were the type to give up easily, you could come to a resignation. Or you could respond to them as most parliamentarians here have, on the Labor as well as the other side of the house, as the media has and as the public of Victoria has — that is, with absolute contempt.

It is interesting that when you can do whatever you like it is instructive to see what you will actually do. We do not resile from the fact that, yes, you have had a very great election win, and certainly to the victor go the spoils. We do not have any argument with that and we accept it. But that in a parliamentary democracy does not mean that the winner takes all; it is not the same thing. Yet that is what you have done with these sessional orders.

Mr Ryan interjected.

Mr DOYLE — Sorry, what the government has done, quite right — thank you for your correction — with these sessional orders. It is not me who has called the government a pack of hypocrites; it is now media commentary around Victoria. That is the judgment of the government: a pack of hypocrites.

An honourable member interjected.

Mr DOYLE — I would be careful of interjecting if I had not made my first speech yet, but I am happy to quote to you:

> But never forget who did it, why and what a pack of hypocrites they really are.

Honourable members interjecting.

Mr DOYLE — I enjoyed Jon Faine this morning.

The DEPUTY SPEAKER — Order! In the spirit of this debate I remind all members that interjections that demand a response only serve to increase the length of contributions.

Mr DOYLE — Thank you, Deputy Speaker, for that wise ruling. I am not quite sure what point you were making, to be honest, but thank you for that wise ruling.

After listening to the defence, the apologia from the Leader of the House, do you know what I find we on this side of the house are actually guilty of? We are guilty of wanting to speak in the Parliament of Victoria. Is it not an appalling travesty that there may well be some pieces of legislation that are so important that all the issues cannot be traversed in a single coherent contribution in the 30 minutes that will now be allowed.

I cannot think of a state Parliament around Australia that has these sorts of draconian sessional orders. The closest I can come to is Western Australia — remember, they are all Labor states; they are all your comrades. Only in Western Australia have they limited, for instance, the lead speaker's right — and even that is twice what you have allowed. The government is one out even among the Labor states. Even among its own, there is nothing like this being done in any Parliament around Australia.

We had a couple of those Labor buzz words, one being 'fair'. 'We need a fair share of time'. But who decides what is fair? Not the opposition speaking on behalf of its constituents and perhaps offering a different point of view. No. Who decides what is fair is in fact the group that sponsors the legislation which is under discussion, so I am sure what members of that group think is fair is minimalist discussion, because after all, 'We have already decided on it in caucus'. What possible role could the Parliament of Victoria have to play in the juggernaut of the Labor government?

It does have a role to play. If we resile from that, we might as well not sit because that is where we are headed. I heard throughout his speech, 'Who decides what is fair?'. The Leader of the House actually told us

the answer to that when talking about the sessional orders, because I took down a phrase of his about why it is we should accept them. Do you know what he said? This is the whole rationale for these sessional orders. 'They come from the government'. As I have said, yes, to the victor go the spoils, but apparently what we will see from a Labor government is a complete disregard for the traditions of this place and indeed the purposes of this place.

Even if you boil it down to its most simple, how could you possibly argue that it is more democratic — a favourite phrase of the Premier's — that it is possible to have a piece of legislation pass through both houses of the Victorian Parliament and not be debated, because that is possible with a government business program in both houses.

Mr Batchelor interjected.

Mr DOYLE — And the minister was the one who criticised it. There has never been a government business program in the upper house, and the minister knows it.

Honourable members interjecting.

Mr DOYLE — There has never been a business program in the upper house, and there has never been curtailment of debate in the upper house.

'Participation' was another buzz word used by the Leader of the House. What he means is, of course, 'What on earth are we going to do with all of the Elmer Fudds that now fill up the back bench of the government? How on earth are we going to keep them occupied?' Apparently, it is enough to keep them occupied by giving them about 90 seconds a day, and that should just about do them. But it is really a pretty low high jump bar.

One of the things that the Labor Party did introduce was the 90-second statement and, yes, I believe it has been a success in this place, so now it is going to extend it. Remember it is modelled on the federal Parliament. In the federal Parliament the call goes in an alternate fashion from side to side. But what is this government going to do? It is not going to do that. It is going to do it on a proportional basis. Why? Because the government has to feed the chooks. That is why it has to do it, and won't that be instructive? But that is the reason behind this. Do not pretend to us it is participation or a fair share of time, or this wonderful new phrase which I just loved — 'parliamentary greed'. Do not pretend it is anything but to do with the exigencies of a Labor backbench it has no idea of what to do with. We see through that and so does the public. There is no question about that.

I loved the other buzz word. This is going to be about 'more' debate. I did not realise the Leader of the House was such a Bauhaus aficionado — Mies van der Rohe will be proud of you — less is more — an absolutely wonderful philosophy. I think again we can see straight through that. It is not about more debate. What it is about is capturing debate by the government and directing debate.

Mr Batchelor interjected.

Mr DOYLE — Did you say it was about preventing people from speaking? I take up the interjection from the Leader of the House. That is exactly what it is about. It is about preventing people from speaking. And is that not a lofty aim in the Parliament of Victoria — preventing people from speaking. I would have thought the purpose of the Parliament was to allow people to speak, and in particular to allow the opposition side of the house to speak because how else are those alternate points of view to be put before the public of Victoria? That is what this place is all about. But no, we have heard it from the mouth of the Leader of the House himself. It is about preventing debate. So however the government may spin it, we understand pretty clearly what it is that the government is trying to do.

I will not cover in great detail all of the changes. There are some, I might say, which baffle me. We did two condolence motions last night. The sessional orders for condolences now provide a condolence motion is only in the case, for instance, of a person who has previous distinguished ministerial service or other distinguished service in Victoria. Who decides who is a distinguished minister? Who decides what is distinguished service? I do not think we will be hearing many of those condolence motions in future given the ministerial abilities we have today, and given — —

Honourable members interjecting.

Mr DOYLE — It perhaps does, but we will not get into those personalities.

Let me tackle briefly some of the changes, but in particular to focus on the areas of concern. The matter of public importance (MPI) debate, for the benefit of new members, is a very important part of debate in this place, but in 1999 it was changed from the model that exists in parliaments all around Australia, and especially the federal Parliament — that is, that the MPI in the federal Parliament is essentially considered opposition business. But not in this government. For the first time the MPI debate was made to alternate

between government and opposition. That is for the first time, and now — —

An honourable member interjected.

Mr DOYLE — I would just be a bit careful about that. The government is simply saying that it disregards the entirety of it — its own included. So apparently the MPI debate is of no importance to members on the other side. That is an interesting assumption to underpin any further debate on these sessional orders.

The adjournment of the house is a very important part of parliamentary debate. The adjournment debate is a time when members on both sides can get up and raise issues of concern to their electorates and then get an answer from a minister. For the first time, although we can raise those issues, responses from ministers are limited to 30 minutes. What guarantee do we have on this side of the house that ministers will not come in and respond to Labor members who have raised adjournment matters, take up the 30 minutes, curtail debate and provide no answers to matters raised by our side of the house? Where is there a safeguard that opposition and National Party and Independent members will get the same deal as government members? How do we stop a particular minister up on their hind legs debating the entirety of that 30 minutes in a personal tirade?

One of the things that was raised in a notice of motion was a matter concerning the Minister for Police and Emergency Services — a matter still pending under an Ombudsman's report. That sort of tirade in this Parliament I must say could well entirely take up 30 minutes of debate by a particular minister answering a Labor backbencher's query for purely political reasons. It may not be, and I hope it is not, but that 30 minutes could be used to shut out this side of the house entirely from ministerial responses to the other side. How the government treats that 30 minutes will be interesting in the future.

I made the point about members statements. Yes, it goes to 30 minutes each day according to a formula reflecting respective party numbers, but everywhere else that is done on a fifty-fifty basis. Not here. I think that is just arrant hypocrisy.

The appropriation bill, perhaps the most important legislation that comes into the house on a regular basis, is something where we have no time limits for the mover of the motion and the lead speaker for the opposition and a reduction from 20 minutes to 15 minutes for other members. But the National Party speaker is reduced to 1 hour. Traditionally, if I may say — and I have heard the honourable member and my friend make a number of those responses — I would suggest for an appropriation bill response from the Leader of the National Party, 1 hour is inadequate. I am sure he is more than capable of speaking for himself on that. But then all other speakers are reduced from 20 minutes to 15 minutes. It is such a paltry change. What benefit does that bring? Not all members speak for the full 20 minutes. I can recall, as can the Leader of the House, when we have made arrangements of goodwill to try to fit people in so that we limit ourselves to 10 minutes and even 5 minutes in some cases.

Mr Cameron interjected.

Mr DOYLE — I will take up the interjection of the Minister for Agriculture. I will not mention the honourable member for Murray Valley if we do not deal with the former member for Morwell, because I think we are 15-all on that one. But it seems to me to be curtailing one of the most important debates in this place.

Over the years the total number of hours devoted to appropriation debate has fallen. That is something, for instance, in the federal Parliament that honourable members guard very jealously. The Labor Party would be the first in Canberra to complain if that appropriation debate fell away from a reasonable total number of hours. I presume that is part of the parliamentary greed that the Leader of the House was talking about.

As to the address-in-reply debate, lead speakers currently have no time limit. The mover and seconder will have a maximum of 20 minutes and any other member will have 15 minutes, reduced from 20 minutes currently. These changes I understand will not apply until later this week, but again it seems to me when it is the first chance for a member to come into house and make their inaugural speech, it does seem to me that if they do not wish to use the entirety of that time, that is fine. In fact, I can well remember on the first day of sitting in 1992 I made my inaugural speech and I did not use all of that time.

But some honourable members may wish to, and that is their right. You do not get many chances to come into this place and have a completely open slate, and it is a great shame to take that away. It may mean a lengthy debate, the opposition understands that, but this is a retrograde step. I will come back to the time limits for other government bills at the end of my speech.

Discussion of bills in committee is of concern to the opposition. As Chairman of Committees, Deputy Speaker, you would know that often the real debates in

this chamber take place during the committee stage when there is the interplay of ideas; not set-piece speeches but real debates. To take time away from the lead speaker and reduce the maximum number of contributions including the first is a retrograde step.

I have a couple of other small issues to raise, including debate on parliamentary committees, which the Leader of the House discussed. I have an open mind on the reform: it may well be reasonable, although I have some concerns because time spent on grievance debates and matters of public importance is being reduced to do it. That may or may not be a good thing; I have an open mind. However, my concern is this: the parliamentary committees have not yet been set up, so when are we going to have a parliamentary committee report in this house? Unless honourable members are allowed to debate parliamentary committee reports from previous parliaments, presumably that time is simply to be given over to government business for up to a year until a parliamentary committee report is before the house.

In a spirit of hoping to improve that debate, why not include annual reports? From time to time annual reports are tabled in this Parliament which are worthy of debate but which also just travel into the ether. Why not include annual reports or any papers tabled in the Parliament as the subject of debate during that half an hour? If the Royal Melbourne Institute of Technology annual report were to be tabled in the next couple of days it would make for very interesting and worthy debate in this chamber. Why restrict the debate to parliamentary committees, particularly since we have a hiatus now between the start of this Parliament and when parliamentary committees report? My understanding is that the default position is for that half an hour to simply revert to government business: government business gets an extra half an hour, and the opposition does not get a debate up. I suggest that if the government wanted to include annual reports or any other tabled papers, the opposition would support such a change to sessional orders.

With due deference to the Chair, his office is part of a major change in sessional orders. It has never before been the case that the Deputy Speaker can require an honourable member to leave the chamber for a period of up to $1^1/_2$ hours. That will be allowed when these sessional orders pass, as they undoubtedly will. Perhaps of more note is the fact that for the first time the Deputy Speaker can also name an honourable member. Assuredly the Deputy Speaker must then notify the Speaker, who will come back into the house and put the motion without debate. But effectively it gives the Deputy Speaker the chance, or the responsibility — I did not mean to be cynical — of both asking honourable members to vacate the chamber and naming honourable members.

I would like to know why the government thinks that is necessary. Does it think this is going to be a more disorderly chamber than ever before? It may well be a good reform, but it is a profound and fundamental change to the way we operate and so far we have no explanation from the government as to why it has done it. There may be good reasons, and I would like to hear them, yet apparently I am expected to vote on this without them. I assure the government that I will be voting against it. The opposition will lose that vote, as I am sure it will lose many votes in this chamber and the other one in the ensuing four years.

An honourable member interjected.

Mr DOYLE — We may be able to talk a few of them across, you never know! I thought George was a bit closer yesterday, but never mind. I will get a move on, I beg your pardon.

Let me turn to the main issue I wish to address, because I am sure other speakers will canvass points I have touched on only briefly. The changes to time limits in debates on government bills is reprehensible: there is no other word for it. By saying that the lead speaker on the opposition side may only have half an hour and the National Party lead speaker may only have 20 minutes when both are currently unlimited is an affront to democracy. I will digress for a moment. I understand what the Leader of the House was saying. We have all sat in this chamber and heard speeches that we hoped would be a little shorter; we have heard tedious speeches from both sides of the house. But in the best debates I have heard some of the finest speeches were made by lead speakers with unlimited time because on major pieces of legislation it may take some time to develop and prove a case.

The Leader of the House is quite right about some of my contributions; I think the longest speech I made in this Parliament was during the debate on heroin injecting rooms. On that occasion I think I spoke for a little over 2 hours, and to me it was a heartfelt and passionate speech. It was the result of maybe a year of soul searching and hard work. The honourable member for Footscray and I undertook a study tour where we looked at what was going on around the world. Perhaps I could have done the subject justice in only $1^1/_2$ hours, but I do not think so. I have looked back at that speech, and I do not think I would change too many of the words or points that I wanted to make. It was a matter of great passion in this house and in the other place.

I think back to 1992 and being on the government benches, listening to huge debates, not just between 1992 and 1996 but also between 1996 and 1999 — on the Auditor-General, Workcover and employee relations. During that time, despite all the accusations the other side might make, the then opposition, the now government, enjoyed the benefits of the very time limits it now seeks to take away. That is the height of hypocrisy. Then the present government was the fiercest champion of unlimited time, but now when it has the chance it takes it away. What else can that be called but hypocrisy?

In particular this goes to the heart of whether or not this is about parliamentary democracy. Most other things I can probably live with. I do not like them, they are retrograde steps, but it is the government's right to make those changes. But when it says it gets the right to determine, frame and discuss the legislation and bring it into this house and then to constrain the debate on the legislation, then it has gone a step too far. That is not government, it is dictatorship. It is arrogance.

I mean this in the sense of reminding honourable members on the other side and in its very real sense. Let me read an extract from *Hansard* of 18 February 1998, not that long in the distant past:

> How does one describe a Parliament where the government is able to make laws but will not allow members of that Parliament, whether they are for or against a measure, to speak? How does one describe a Parliament where laws are made when only one member of the opposition is allowed to speak and, on many occasions, its own members' contributions are curtailed?
>
> How does one describe a Parliament in which on many occasions when there are lengthy speakers' lists on both sides of the house the government, through the manipulative abuse of standing orders, prevents people from carrying out their primary responsibilities as individual members representing their electorates? Members here are elected as individuals, not on block votes. We are required under the implied relationships we have with our electorates to carry out that responsibility. I know the Acting Premier does not want us to carry out those responsibilities. He is interjecting against our trying to carry out our responsibilities.

My, my! Doesn't the past come back to repeat itself?

An Honourable Member — Who said that?

Mr DOYLE — I will come to that. There is more wisdom here:

> He thinks that they are not worth protecting, and he wants to override them. Well, let him do that, but in this Parliament he cannot stop us from carrying out those responsibilities. We will do it, and will continue to do it.

An Honourable Member — Who said it?

Mr DOYLE — Doesn't five years make a wonderful change — but not to your basic principles, surely?

Honourable members interjecting.

Mr DOYLE — What basic principles? That is my point. You do not have any! You are just flip-flop hypocrites!

Honourable members interjecting.

Mr DOYLE — What will you be like in five years, I wonder! I cannot wait to see.

An Honourable Member — Who said that?

Mr DOYLE — The honourable member for Thomastown! What a difference five years make.

Ms Duncan interjected.

Mr DOYLE — I will try to shorten my next two quotes, because I do want to finish with his words.

An Honourable Member — The same member who moved these things!

Mr DOYLE — Unbelievable! It is the same honourable member, the very same mover of the motion who stood there and talked to us about parliamentary greed, who redefined what 'participation' and 'fair' mean and who proposes changing this parliamentary democracy in a way that no other state has even contemplated. Let me go back to what the honourable member for Thomastown, the Leader of the House, said in 1998 — and I have to confess that there is also some wisdom in this. This is what he said in talking about changes to sessional orders, which were far less draconian than anything proposed today:

> It reminds me of examples of dictators all around the world who set up puppet parliaments to rubber-stamp their decisions. Because the Labor opposition will not act as a puppet or as a rubber stamp, the government has had to put sessional orders in place to curb debate.

What he has done today is put in place a motion that carries these sessional orders far beyond anything that was contemplated in 1998. What has changed? The only thing that has changed is that he is on that side of the house. He is a hypocrite! The final quote, which I wish to finish on, Mr Deputy Speaker, because although I guess it gives him some sense of uneasiness to have his words quoted back to him, this is a serious — —

An honourable member interjected.

Mr DOYLE — Well it should, because there is a message there from himself to himself — and that is where I wish to finish. The Leader of the House said in 1998:

> In this state laws have been made when members of Parliament have not been allowed to speak in debate on the bills; they have been shoved through at the end of the week with a whole grab bag of other legislative vehicles to get things through so the government can get things its way.

Honourable members interjecting.

Mr DOYLE — And the final sentence, which I enjoyed the most, is the best piece of advice from the Leader of the House to himself:

> In recent times the government has understood that such arrogant behaviour is liable to bring it undone.

One can only hope that that is the case in 2003.

Mr RYAN (Leader of the National Party) — This is absolutely the height of farce, and if it were not so serious it would be funny. I cannot help but think of all those pontificating statements going back to before the election of 1999 about openness, honesty and accountability and of all the times they were droned on about in here after the current government was elected. I cannot help but reflect, good heavens, on the famous Independents charter and its content, and on all this stuff about giving people a fair go and better opportunities and all that sort of thing when we now have these sessional orders before us in the manner in which they appear! I will be interested in the contributions made by the two Independents to this sessional orders debate.

This makes Saul's conversion on the way to Damascus pale into absolute nothingness. As the Leader of the Opposition has just pointed out — he has taken a couple of my quotes, but I have a few others that I will contribute — we are now hearing from the Leader of the House about proposals which are going to have the intended effect of absolutely gutting the capacity of the Parliament to deal properly with the business that comes before it. I might say that into the bargain it is quite apparent from the material that bad enough as it is in terms of the opposition, it patently discriminates against the interest of the National Party and therefore against the interests of country Victorians. The very content of the documentation carries that message from this government, which, again, purports to be representing the interests of all Victorians.

The Leader of the Opposition has canvassed many of the smaller, more minor aspects of the changes. I want to deal with some of the issues which are particularly pertinent from a National Party perspective and which we see as being critical to the changes that are going to be wrought to the way the Parliament operates.

The first point I make is with regard to the time limitations that are being imposed. I use this example just to amplify what is about to happen under these proposals. We are about to have a debate on the constitution reform bill. By this government's own admission it says that this will be the most significant change to the constitution of this state in 150 years. That is what it says, and the spin doctors have been at work sending this message. Once these sessional orders are passed the National Party of Victoria in the Legislative Assembly of this Parliament will have a total between its membership — and there are seven members here — of 80 minutes available to contribute to debate on that legislation. On any basis it is an unmitigated disgrace.

The patent fact of the matter is that when you have legislation of this sort of magnitude or which carries this sort of import, or if there is an equivalent or the equal of what is proposed under the constitution reform bill, then having country Victoria through its representatives in the National Party being constrained in this way is an unmitigated disgrace.

I heard some of the commentary by the Leader of the House as he wound into the diatribe he delivered a while ago. He talked about 'increased opportunities' and 'protection of people's rights to speak', and said that these sorts of changes reflect an agreement which operated, according to his version, for the very main part successfully in the course of the last Parliament. He purports to bring this material in to reflect those sorts of arrangements. I say again it is absolute rubbish.

What happened over the time of the last Parliament is that in those instances where we, the National Party, had unlimited time to deal with bills, I believe we properly observed the sorts of constraints that he says are contained within these proposed sessional orders, and we made certain we conducted ourselves in a way which was responsible and had regard to the issue of enabling as many people as possible to speak.

Given the fact that there were six of us in the last Assembly and there are now seven, because we won the seat of Benalla from the government — and isn't it great to see Bill Sykes sitting here behind me — we will have more members who are able to contribute, but the fact of the matter is that the contribution we are going to be able to make in terms of time, and accordingly because of the constraints which are being imposed upon us, will mean that we cannot reflect the

views of country Victorians in this place as we once did.

I point out to the house that the contributions that I made, and speaking from a personal perspective, in the last Parliament there were many instances where I led the debate, but the occasions where I spent an hour or more — and they were not many, there would have been perhaps half a dozen, I would have thought, over the time of that Parliament — were in relation to legislation where we had disagreement with the government of the day.

I pause to say that as members who have been re-elected would know, and those who are new here will come to see, for the very main part the legislation that goes through this house goes through by agreement of the parties. I must say there are not many instances where we are head to head and where there is disagreement in relation to the positions we respectively have, but it means, therefore, that in the interests of democracy that the Leader of the House claims to represent, when those instances arise it is so important that the minority parties in particular are able to put their point of view in a way that does not have the constraint that the proposed sessional orders contain.

I think back to the debate that occurred over the Constitution (Parliamentary Reform) Bill in the last Parliament. I thought the contributions that were made all round were very constructive. People put their points of view and we agreed to disagree, but I believe that in making its contributions the National Party — and I believe the same applies to the Liberal Party — did so responsibly.

I led for the National Party in debate on the industrial manslaughter legislation in the last Parliament. It was very important to trace the history of the development of industrial manslaughter legislation as proposed in England, to see its origins and how it came out of the terrible train crashes that had occurred over there. This government was trying to create a nexus between two situations which was completely inappropriate, given the legislation it wanted to introduce. That meant, therefore, my having to trace that history as a legitimate aspect of putting the arguments that we believed to be appropriate at the time the bill was introduced here. It takes time. I look back on that sort of contribution and I believe what I had to say at the time was justified in the sense that I was presenting the views properly and fairly.

I also recall the proposed industrial relations legislation. Again the government and opposition parties were in conflict. In those instances it is important that those different points of view are put. The Leader of the Opposition has already referred to the debate on the injecting rooms. There we had a fundamental and philosophical different aspect of approach to the way in which that issue should be dealt with. How can you conceivably look to deal with issues of that magnitude when you are faced with the sort of time constraints that are contained within these proposed sessional orders?

I say again: it is all the more the case from the perspective of the minority party. The reality is that in the Parliament we simply do not have the opportunities to present the views of those people who elect us with the regularity which metropolitan members of Parliament have. That is a plain old fact of numbers. I have no complaint at all about the actual numbers; that is the way the system works. But to then overlay that by saying to the extent we have that limited ability and the right to make a contribution we are now going to be constrained in a way that means in the instance of this constitution reform legislation we will be absolutely shut up by the government through the operation of these sessional orders is a disgrace. We will contribute a miserable 70 or 80 minutes to a debate on legislation that will have a wide-reaching and profound effect upon the way in which country Victorians are represented in this place. I believe that is an unmitigated disgrace.

The sad thing is that, as even the Leader of the House says, there is just no need for this. He says that for the very main part the arrangements between the parties have succeeded historically. That has been the case. I have had discussions with him, and he has had discussions with the Liberal Party. We have been able to talk out an agreement, and we have been able to deal with these issues in a way that has meant we have been able to manage the business of the house properly. That has happened most particularly on the occasions of debate on these big bills where it was important for all of us here, irrespective of political colour and persuasion, to be able to put our points of view. We have been able to sort that out. The government is now going to ensure that the National Party's voice in this place is constrained in a way which I believe to be absolutely unfair, unjust and, worst of all, unnecessary.

I know the Leader of the Opposition has already referred to a couple of past statements of the Leader of the House. I have a couple here, too. On 14 May 1996, when he was on the other side of the house where I now sit, he said:

> Government members who are interjecting out of their places resile from the notion that Parliament should be an

> accountable institution. It should be a separate institution from the executive arm of government.
>
> …
>
> It is our intention to say to the Parliament and the people of Victoria that so far as the opposition is concerned democracy is an important and valued freedom and that Parliament should be the pinnacle institution in our state that cherishes and puts these valued traditions into practice.
>
> …
>
> We wish to have a robust Parliament, one that cherishes democracy and enables debate, one where Parliament is accountable and responsible — not one that is a rubber stamp.

I never thought I would say it, but I defer to the comments that he made that day because they are all sound contributions; they are reasonable comments. But for him to be advancing the sessional orders we now have before this place on the fallacious basis that somehow it is better and it will make things better for the Parliament and the people of Victoria, when he knows full well that the whole calculated intent of the sessional orders is to shut down the debate and make sure, as much as it can, the government can restrain the opposition parties, most particularly the National Party, from being able to contribute, is absolutely reprehensible.

I know the spin doctors have been out working their magic for the government over these proposed changes. Last weekend I read the material, as did a lot of other people. To his eternal credit — and I give credit where credit is due — John Ferguson wrote a magnificent article last Saturday in the *Herald Sun* about what is contained in these sessional orders. He wrote it up for what it is. He wrote it up in a manner that echoes the sentiments certainly of those of us in the National Party and of many people across Victoria, that a government that came to power on the basis of being honest, open and accountable is now conducting itself in this manner in the very early hours of its having vast majorities in both chambers.

I do not believe it is proper nor appropriate nor accurate, which is perhaps the best expression, to simply say, 'Back in 1992 when you came in you did this and you did that'. These changes go far beyond whatever was advanced by the then coalition government in those years.

We brought in — yes, we did bring it in — the guillotine for 4 o'clock on Thursday on the basis of enabling legislation to be passed through the house in an orderly fashion. We did it on the basis that we would have discussions with the opposition to make sure that the bill list was dealt with as much as possible by 4 o'clock on Thursday; and I think it worked well. There is simply no need for the government to be doing now what it is doing under the terms of these sessional orders to change these arrangements. And while I am on the same point, the spin doctors were out there saying, 'Oh, this is the end of the all-night sittings. We are going to bring some order into this. This will mean that we will not have to be here any more', and all that sort of jargon was being tossed around.

Of course on the face of the sessional orders that is simply not the case, because there is retained within sessional order 5 under the heading 'Adjournment of the house' the capacity for the government if it so chooses to move that the sitting be continued. Absolutely nothing has changed! That is the way the system has always operated, and it is yet another example of how the government is intent on trying to spin this to the people of Victoria in a way that is not truly representative of what the outcome is going to be when these sessional orders take their place.

I look at the issue in relation to contributions on the budget. From the perspective, I think, of all honourable members, no matter what their political persuasion, the budget debate is a critical time that gives everybody an opportunity to make the contribution they need to make in the sense of their respective electorates. From the point of view of myself in leading the debate for the National Party I now find that I have been singled out as the leader of the third party to have the speech that I make on this critical issue constrained to 1 hour. I cannot help but ask why this is so. What is the rationale? If the government had come to me, since I am the one who has been singled out on behalf of my party, and had argued some sort of justifiable cause as to why we should be the ones picked out on this, I would have been very happy to have that discussion. But to this day the government has never had any discussion with me about this and the first I knew of this proposal was on Monday afternoon when we first had access to these rules.

I ask again, in a rhetorical sense, of course, why should it be that I am going to be constrained to this 1-hour contribution. I make the point again: there are plenty of others in the Labor Party who can get up and share the information and put their argument, and there are plenty of others in the Liberal Party who can do so. There are seven of us and it is vitally important for us that we have the opportunity to properly represent the interests of country Victorians in here.

And so it is I ask again why we are being singled out and constrained to 1 hour when the lead speakers of the other parties are able to do as they are able to do in the sense of having unlimited time. And, I might add, it is

all the more difficult because there is the responsibility as a lead speaker for the National Party that you present the case not only from the perspective of your own electorate — it is the first responsibility for all of us here to speak on behalf of those who elected us, because we are here to look after their interests — but also from the point of view of the National Party.

What falls to me is the obligation to present the argument for the country at large, not just my electorate. There are a raft of features in the budget which by design mean that they are deserving of appropriate commentary. I am going to be constrained in a way which I think is unfair and of which history will judge, I believe, as being completely unfair and inappropriate. I do not think that contributions that have been made in the past have been of a nature where the concept of being able to deliver the speech on an unconstrained basis has been abused.

I look at other issues in relation to these proposals: the adjournment debate. New members will come to understand this is a very precious debate in the operation of the Parliament. It enables 10 members to raise issues for 3 minutes each. It has been changed this time in a couple of respects. What will happen is that only 10 matters will be raised, no matter whether they have chewed up the 30 minutes or not. I think the intention behind this by the government is to make sure that there is not a sharing of the time with an additional member or members of the opposition parties in such a way as to let an extra member get up, so that instead of five contributions being made on the adjournment debate each night, with a bit of saving of the 3 minutes, there have been instances where six have been able to get up and make a contribution. The government is so mealy-mouthed and miserable about it that it is going to alter it, for heaven's sake, so that only 10 contributions can be made. I ask you!

Then, of course, the real sucker punch in this is that the government is constraining the time for responses by ministers to a period of 30 minutes. What is going to happen, of course, is that we will get some of those great contributions that we have seen happen over this last parliamentary term by people such as no less than the Leader of the House. Haven't there been some absolute purlers over the years!

I must say with due respect to him that the fact that Geoff Leigh, the former member for Mordialloc, will be absent may ameliorate the prospect of the Leader of the House getting carried away as he often has done over the years. But what is going to happen here — and it is as plain as a pikestaff; there is nothing strange about this in many senses and nothing hidden about it — is it that ministers will pick out of the 10 issues raised that night those that they want to answer, and they will make sure that at the back of the queue are those that they do not want to deal with.

In a rhetorical since, Mr Deputy Speaker, let us all try to work out for a moment which five are going to be the top five and which five are going to be the bottom five. I reckon there is a fair chance that we are going to see that the ministers responsible for the five matters put up by government members will come in and deal with those five issues, the 30 minutes will be up and we will all go home. That is what is going to happen. Or, alternatively, we might have a bit of a change because if the minister feels that he can give an opposition member or a member of the National Party a whack then in that instance the order of events might be changed and the minister responsible will come in and deal with it and deliver the whack accordingly.

The other question I ask is: how are ministers actually going to orchestrate this between themselves? Are they going to do this on the run? When they hear the 10 issues that are raised, are they supposed to all get into a group in committee out the back and decide between themselves who is going to take what? It is just an absolute nonsense! It is ridiculous and another example of how these sessional orders are the height of farce.

The debate on matters of public importance is critical to the way the Parliament functions and it has assumed that role. I think everybody has been able to benefit from the fact of these MPIs, as they are colloquially known, being debated on the Wednesday morning.

Here again we have a reduction of the time from $2^1/_2$ hours to 2 hours. It is said, 'But the other half an hour is going to be devoted to commentary upon committee reports', but again the sting is in the tail. They are committee reports in the current Parliament, and if there are not any we go on to government business. In effect what is happening here is that the opposition parties are having pinched from them half an hour of time. To a degree the time is split between the parties in Parliament, so it is not all the opposition parties' time, but nevertheless the time for debating a matter of public importance has been whittled down by half an hour. Until we start to get the all-party parliamentary committee reports coming through, there will be nothing to debate. So what happens to the half an hour? It goes straight into the government business program, which makes more time available to the government.

We have a similar situation with the grievance debate, where some time is being nipped out as well. When you look through the totality of what these sessional orders are seeking to deliver you see this constant drive to constrain the way the opposition parties make their case to represent in Parliament the interests of their electorates.

I am very conscious that others want to contribute to this debate, so having spoken for about 20 minutes I intend to conclude. In essence I want to finish where I started. I make this presumption: I reckon a lot of the new members of the Labor government sitting up on those back benches came to the interest which has led ultimately to their being elected on the back of the high principles being trumpeted by the Premier, his ministers and his government over these past years. If I said, 'Hands up how many', I reckon I would have a fair show of hands. What is happening here is the complete, absolute and utter opposite of what those principles are said to be.

We are seeing exactly the opposite thing happen here, where the parties that do not have the strength of the numbers — and more power to the government; it has the strength and that is the way the system works; I have no complaint about that, as I have already said — but as the Leader of the House said years ago, and he is absolutely right, it is so important that the members of the parties that do not have the numbers in the sense of winning the day are nevertheless able to come into this place free and unfettered and put a point of view which is representative of their electorates and it will be a black, black day when that changes. I am sorry to say, Deputy Speaker, that this is that black, black day.

Mr CAMERON (Minister for Agriculture) — Congratulations, Deputy Speaker, on your election as Deputy Speaker of this house. This government wants to have decent parliamentary and constitutional reform. To test them, let us look at what opposition members say.

We want to bring in constitutional reform so there is proportional representation in the upper house. I can tell you that outside the government there are some people — —

An honourable member interjected.

Mr CAMERON — You brought this matter in! There are some people who would say, 'Why would you want to do that? You have a dominant position there and inevitably, given the results of this election, if there is no change you will be in a dominant position the next time, so why would you want to bring about that constitutional reform?'. The answer is because that is what we said we would do. As a consequence of it we will see a greater range of views being presented in this Parliament.

Likewise, this change in parliamentary practice will lead to more views being represented in this house, because the simple fact is there is no change to the sitting hours. The sitting hours remain the same, but more people will have the opportunity to speak — in other words, those who want to hog the time will have to make way.

What we have seen today from the leaders of the Liberal and National parties is a little group acting as a defence for the parliamentary babblers, the parliamentary filibusterers, the parliamentary wafflers. That is what they are trying to do, and they are going to prevent people like the honourable member for Wimmera from getting to his feet.

Deputy Speaker, you will remember what occurred on occasions during the Kennett years when legislation was guillotined. We have heard the Leader of the National Party promoting the practice of the guillotine, but the fact is there were some people who babbled on too long, there were some people who took up more than their share of time. There were other people who wanted to participate and to debate who could not do so, and as a consequence on some occasions legislation went through with no-one speaking on it.

Mr Doyle — The Treasurer was the worst offender for that!

The DEPUTY SPEAKER — Order! Conversations across the table are not orderly.

Mr CAMERON — He will be here shortly.

Of course the Deputy Leader of the Opposition will remember what has been the practice here for a long time — that people have talked for unnecessary lengths of time. Indeed yesterday when we dealt with condolences for the late Vin Heffernan the Deputy Leader of the Opposition quoted Vin Heffernan on parliamentary practice to the effect that it was Vin Heffernan's view that nobody took any notice of what was going on in Parliament and nobody read *Hansard* except for the few people who were involved.

The reason for that is that the practice of this place has been to allow waffling and filibustering rather than getting to the point. That is what we want to do with this change to parliamentary practice: to get people to the point. If more people are to the point, then more people will have to speak.

I appreciate that there may be a division on the other side of the house. Some people want to protect the wafflers, but some people want to protect the lazy — they do not want people to have to get up on their feet, so they are a divided camp over there. Some people do not want to do the work. Some people do not want to have to get up and participate, and that is exactly what we saw here this morning.

During question time this morning the opposition parties together had three questions, and that was because we were working under the old sessional orders, which relate to question time prior to 1999. You will recall, Deputy Speaker, that prior to 1999 the great attribute of a minister during question time was to be able to talk about very little for a very long time.

Mr Delahunty interjected.

Mr CAMERON — The honourable member for Lowan mentioned his predecessor, Mr Bill McGrath, who was very good at it. Some people were extremely good at it, and to be able to talk for an unnecessarily long time was regarded as the high-water mark of parliamentary conduct. The honourable member for Mornington has a smirk on his face. He is one of those who was extremely successful at being able to speak for a very long time about very little. That is what occurred across all debate; that was the practice. Members opposite know that everyone would say, 'How are we going to talk for a long time on this?', and the answer was, 'Give the same old speech three or four times over'. Just giving it over and over, that was the practice.

We have tried to drag this Parliament into this century. Three years after the 1999 election we put in place the sessional orders that applied last session, and the opposition opposed them. Today its members turn up and say how great those sessional orders are! Equally, I am sure that in time, as they put aside and dust off the past, they will see the commonsense of this proposal, except for those who want to protect the filibusterers and those who are too lazy to want to participate in parliamentary debate.

Ninety-second statements have proven to be very successful. They will become even more successful, allowing for more participation by honourable members.

Of course some honourable members will not want to participate because they are lazy members, but if it makes them speak for their electorates and talk about things it is a good thing, because after all that is exactly the reason why they are meant to be here.

Mr Ryan interjected.

Mr CAMERON — The Leader of the National Party interjects that his party does not have any lazy members. I take it that he has now moved on and that just as he embraced the sessional orders last time he will embrace the new sessional orders.

Comments were made concerning the powers that will now apply to the position of Deputy Speaker which previously related only to the position of Speaker. That is a sensible approach. This session we are fortunate to have a Deputy Speaker who will show the appropriate approach to all sorts of matters. During parliamentary proceedings there are two periods of considerable tension — one is during question time and the other is during the adjournment debate. As honourable members are aware, normally the Speaker or the Deputy Speaker presides during those two periods, so it is appropriate that both presiding officers have the powers referred to in the sessional orders.

Limits have been set on the debating of bills that will force more members to contribute even though some members on the other side do not want to. Unlimited time will be allowed for the government and opposition lead speakers on the budget debate, because it is a wide-ranging debate across various portfolios. It is appropriate for the Leader of the Opposition or the shadow Treasurer, whoever is the lead speaker, to have that length of time.

Mr Ryan interjected.

Mr CAMERON — You are a minor party. Goodness gracious, the National Party got 4 per cent of the vote but wants 50 per cent of the time. The maths does not calculate!

The government is making sure that, notwithstanding the low vote of the National Party and its minor party status, its position is protected. That is why its lead speaker will get more time than other members.

These reforms go to the next stage of giving more people the opportunity to contribute, which is what we want to see in this place, just as constitutional reform will see a wider range of views represented in Parliament.

Mr HONEYWOOD (Warrandyte) — I commence my contribution on the sessional orders by referring to a quotable quote from 15 May 1996 on a previous sessional order debate:

> The government seems satisfied to go along with all the trappings of democracy such as the opening of Parliament, the Governor's speech and the garden party, but it is not interested in the substance of democracy. The substance of democracy is all about information; it is about members of the

> public hearing what is going on. The government fears the public finding out what is really going on.
>
> …
>
> It is the same style of conduct that early in the government's term resulted, firstly, in the use of the guillotine to prevent debate and, secondly, in the introduction of sessional orders to stifle debate and ram through legislation without debate. That is the government's style.

Who am I quoting from? The answer is the current Deputy Premier, the Minister for Environment. History has a habit of repeating itself. That is exactly what these sessional orders today are doing, whether it be the gag or the guillotine in another place, which has just been announced by the government, whether it be freedom of information requests that are meant to take 45 days but take nine months, after which you have to go to the Victorian Civil and Administrative Tribunal to get them, or whether it be the denial of normal departmental briefings to opposition spokespeople, which always happened under previous governments.

But the new Minister for Employment and Youth Affairs has written and phoned our shadow spokesman saying, 'Bad luck, we will not give you a briefing, even though you requested it weeks ago'. We have the new democratic Minister for Financial Services Industry telling our spokesperson on financial services, 'Bad luck. You asked for a normal briefing but we're not going to give you one'. We have even had an experienced minister, the Minister for the Arts, albeit a minister who is renowned for secrecy and being loose with the truth, say to our arts spokesperson, 'Bad luck, we are not going to give you a normal departmental briefing'. Did any of this go on during the Kennett government period? No, it did not.

Every year whenever a shadow minister in the former opposition wanted a briefing they got a briefing. We are lucky to get a briefing once every three years, and even in the cases I have nominated we have been denied briefings. So much for democracy. You cannot even officially find out what is going on from departments. Many of us on this side of the house look back and cannot help smirking. After all the rhetoric and the finger-pointing about so-called corrupt government from 1992 to 1999, now that this government is unfettered and does not have to worry about the Independent's charter, look what it has delivered!

What could the government have done if it were really concerned about Parliament operating as a democratic institution? For one, we could have had more sitting days. The Leader of the Government harped about having only 50 sitting days a year. How could we have come at this debate another way?

Honourable members interjecting.

Mr HONEYWOOD — Why would the government not entertain more sitting days? Because it would mean more question times and therefore more scrutiny of what this government is imposing on the people of Victoria. So rather than have more sitting days it uses the camouflage of family-friendly hours to reduce the times of members speeches. The total number of hours this Parliament sat between 1992 and 1999 will prove to be far longer than the number of hours we will sit between 1999 and 2006. Fair enough, we had some late-night sittings, but that equated to this Parliament sitting for more hours. Do not be distracted by this attempt to have family-friendly hours; it is about reducing the amount of time that we can have debates on legislation, on motions and on any number of democratic devices that in other jurisdictions are taken for granted.

We come back to the many senior ministers on the other side, with their highfalutin claptrap about what democracy means to them, and point out how they have in effect stifled democracy with the new sessional orders that are being introduced today. In South Australia the Leader of the Opposition or one member deputed by him or her has unlimited time during a second-reading response. We will have only 30 minutes, and the National Party will have 20 minutes if it is lucky.

Why do we need more than 30 minutes? Often technical pieces of legislation come into this house. The marine parks legislation is one that I recall; the water legislation of some years ago is another. These technical bills may not be of interest to the government, because their constituencies may regard them as of no importance, but for many of our members some of these bills can have major implications for their electorates. We need more than 30 minutes to go through them clause by clause, because in some cases the legislation imposed by this government will seriously alter democracy in Victoria. I put to you, Mr Deputy Speaker, that 30 minutes is not an appropriate time for the lead speaker's response. In South Australia, clearly, they do not consider that as appropriate, because the lead speaker has an unlimited time in which to respond.

Any other member of Parliament in South Australia will have 20 minutes, which is what we used to have when this government was fettered by the Independents and was in the full flush of its first term. We now have a 50 per cent reduction from 20 minutes to 10 minutes. That may not affect other members so much, but a member of Parliament talking on a technical bill might

be severely impacted on by having only 10 minutes to put the case. What will the local media have to say about a local member of Parliament if they can cover only one aspect of the bill's impact on their electorate in that 10 minutes. They will assume that that member of Parliament did not give priority to some of the other issues that were so important to that electorate in their 10-minute maximum contribution to the bill.

In South Australia they believe in democracy, and it has a Labor government! What do we find in New South Wales? The Leader of the Opposition or a member deputised by him has unlimited time, just like in South Australia. There the time to respond on very important legislation that may have a major impact on the policy platform or particular constituencies of the opposition is unlimited. What do we have? Under these proposed sessional orders we have a 30-minute maximum for our lead speaker and a reduction from 20 minutes to 10 minutes for any other speaker. In New South Wales any other member has 50 per cent more time, because they have 15 minutes.

I turn to Western Australia. I am glad the Treasurer, who harped on and on about democracy being at risk when he was the opposition leader, is now in the house taking notes. In Western Australia the Leader of the Opposition or a member deputised by him or her has a full 1 hour to give a comprehensive response on technical legislation, or any other legislation for that matter. I remind the house that we are going from unlimited time for lead speakers to 30 minutes. In Western Australia any other member has 20 minutes, and I remind the house that we are going from 20 minutes down to 10 minutes.

In Tasmania, which has a Labor government — they are all Labor governments — 40 minutes is allowed for the Premier, a minister in response, the Leader of the Opposition, the leader of another party or a member in charge of a bill to respond, with a full half an hour for any other member — not 20 minutes, not 10 minutes, but half an hour. I again remind the house that we are back to 10 minutes. I understand Queensland is very similar to New South Wales and South Australia. So if we look around the state jurisdictions in this nation we find that this government is unique in stifling democracy. This government has reached a new low watermark.

The Treasurer sniggers. When he was the Leader of the Opposition he stood in here chewing his gum, ranting and raving about democracy being at threat and about the stifling of debate and the wicked guillotine, which the government has rushed to ensure is kept available. Of course it will not get rid of the guillotine it was so appalled about when it was in opposition!

In relation to matters of public importance I remind the Treasurer that during the parliamentary debate of 18 February 1998 he, as the then Leader of the Opposition, said:

> Each day in the federal Parliament for 2 hours after question time there is debate on matters of public importance. That is a longstanding custom. The opposition raises a matter and the matter is debated. The question is agreed and debated by the parties of the day.

According to the Treasurer, every day in Canberra they have 2 hours to debate matters of public importance. What do we have here? We as an opposition will luxuriate in having one matter of public importance debated every three weeks, if we are lucky. The debate used to be for 2½ hours, but it has now been reduced to 2 hours. So much for the then Leader of the Opposition's rhetoric about democracy and what he would like to see happen if he ever became Premier. Fortunately for us he never will.

In the same debate he went on to say that in Canberra something like 14 questions were available to the opposition during question time each day. Fourteen questions! The government could have allowed that too. If it were so concerned about democracy and ensuring that its rhetoric about open and accountable government was lived up to, it could have given us 10 questions rather than 14, as Simon Crean's opposition has in Canberra, according to the Treasurer. But what have we got? Today we got three, and that was because the minister prattled on for about 5½ minutes. When he was the Leader of the Opposition he used to chew his gum during his points of order and carry on about how 4 minutes was more than ample time for a minister of the crown to respond. He took 5½ minutes today: 20 per cent of question time was taken up listening to the dulcet tones of our friend, the minister on the other side.

If we are lucky, the time for debating matters of public importance — which will take place once every three weeks rather than every week, as they have in Canberra — will be reduced from 2½ hours to 2 hours, just as the grievance debate has been reduced from 2½ hours to 2 hours. Government members will try to persuade their friends in the media — after they wine and dine them, as they often do, with taxpayer funds and after the spin doctors have been out there talking up the family-friendly hours — that the half an hour every Wednesday devoted to debate on parliamentary reports will be a wonderful new democratic initiative. But will we be allowed to debate the annual reports of

government authorities? Will we be allowed to debate the Auditor-General's reports? No.

What are we stuck with? We are stuck with bah humbug! We are stuck with a half-hour debate on parliamentary committee reports the references for which have been given to the committee cannon fodder on the backbench. The references will have been deliberately orchestrated to ensure that they will have no impact whatsoever on the government of the day. Of course it will be many months before any of those reports come to the fore, so this so-called new half-hour debate initiative will not see the light of day for many months, and when it does see the light of day it will be considerably constrained. When we do not have given to us that half-hour privilege of debating parliamentary committee reports, what will happen instead is that we will go to government business, so we will lose the half hour anyway.

What we find on page 14 of the new sessional orders, which have magnanimously been provided to us by the Leader of the House after 24 hours notice, is a very interesting clause, and one has to wonder how the Independents, with their so-called democratic charter, ever agreed to it, because it will come back to bite them as well as us. It is unfortunate that the Independents — those who remain — are not in the chamber to vent their passion for democracy. I do not know where the Independents have got to. I guess they are not only leaderless now that the seat of Bass has returned to where it should always have been, to the fold, but they are probably not interested because they do not have the influence they used to have — at least in theory anyway — on the government in the previous term.

Let me come to matters of public importance, the reference to which is in sessional order 9(8), which states:

> At any time during the discussion —

on a matter of public importance —

> a motion may be moved by any member 'That the business of the day be called on'. The motion will be put immediately and decided without amendment or debate and, if agreed to, statements on parliamentary committee reports … will be called on immediately. No other question seeking to end the discussion can be proposed.

Is that not worded with wonderful democratic craftsmanship? What does it mean? It means that when the Minister for State and Regional Development does not like what is being put by a shadow minister, the shadow Treasurer or our leader — —

Honourable members interjecting.

Mr HONEYWOOD — Deputy Speaker, when any opposition member is speaking on a matter of public importance and the minister at the table or the relevant minister does not like what is being heard and does not like the impact it might have on the democratic reputation of the government, what will the ministers do? They will get some cannon fodder from the back bench to stand up and read a script that says, 'We must move on to government business straightaway'. No questions asked, end of discussion, because it is embarrassing them. So much for matters of public importance. We will have to wait, and only once every three weeks will we have the privilege of raising them, when in Canberra, according to the minister, every week the opposition gets 2 hours to debate matters of public importance.

I guess the sting in the tail, if you like, is about the Independents. Maybe they did not understand what was happening to them, even though they have a very generous extra staffing allocation. In fact some might argue that it will be interesting to see whether, with two Independents remaining, they will have more resources than the opposition is allocated, given the Premier's edict that our pool staff will be considerably reduced — another great democratic initiative! The opposition's pool staff will be reduced to way below what the wicked Kennett government provided to the previous Labor Party opposition. As we all know, the Labor Party gets its mates in the trade union movement to do most of its research, quite apart from all its taxpayer-funded advisers. So much for the rhetoric on democratic reform; let us look at the reality.

In conclusion, whether it be procedural motions, whether it be the introduction of bills, where the notice and the first reading are now being concertinaed, whether it even be the suspension of a member — and, Deputy Speaker, you will enjoy that one; you will now be able to turf out any recalcitrant member, and we know that you will be very balanced in turfing out equal numbers of government members or perhaps more; given the representation you will be sending them out to the sin-bin more often than you will the opposition — whether it be grievances, whether it be matters of public importance or whether it be the adjournment of the house, as the National Party leader so eloquently put, where we will have only half an hour of listening to André prattle on — —

The DEPUTY SPEAKER — Order! The Deputy Leader of the Opposition knows that honourable members should be referred to by their correct titles.

Mr HONEYWOOD — Deputy Speaker, I stand corrected — the Minister for Police and Emergency

Services, having been sent up here after a long dinner to inform us of what the ministerial responses are for the evening. Of course, we are well used to this government only sending up ministers to respond to government members' contributions. We are well used to, when an opposition member dares to try to raise an issue on behalf of their electorate or portfolio area for a ministerial response, the minister staying put down in the basement or in the ministerial suite because they do not want to come up here, in a democratic institution, and respond to the issue.

Under the previous Kennett government — that wicked Kennett government that the then Leader of the Opposition used to chew his gum over — it was a requirement for at least half a dozen ministers to be up here on any one adjournment debate to respond properly and appropriately to issues that were raised. But in this chamber we are now well used to one minister if we are lucky — and if there are any more than one it is only because they have been put up to it by a government backbencher.

We have actually seen ministers come up here and, even though other issues have been raised by opposition members for the same portfolio, walk out of the chamber after they have responded to the one issue raised by the government member and then disappear and leave it — —

Mr Nardella interjected.

Mr HONEYWOOD — It has happened to me. It has happened to me on a number of occasions with education, but then of course particularly the first Bracks government Minister for Education had problems following her idiot card.

There will be time limits on debate on appropriation bills, on address-in-reply, on other government bills and on bills in committee. A bill that goes into committee is usually a very technical bill on something like water reform or marine parks, and we have to go through any number of amendments which are usually foisted up by the government because of poor drafting. What do we find? We find, even there, for the speakers responding a reduction from 20 minutes to 5 minutes, if they are lucky — 5 minutes in which they often have to put forward the most technical detail on why a clause should be included, excluded or amended. Again, compared to other jurisdictions, it is a new low-water mark for democracy, compared to that of any other state government — any other state Labor government — in this nation.

Even when it comes to the sessional orders debate after this Parliament is prorogued the next time, what will we find? We will find that we will be allowed only six speakers from each party for half an hour maximum. It will constrain all sessional order debates to come. Today is our last opportunity to use our democratic right to raise concerns about where democracy has got to under this government. So much could have happened that has not. So much was offered when the Labor Party was last in opposition. Let us leave the last word to the current Deputy Premier, who on 15 May 1996 during a similar sessional order debate said:

> It is part of a pattern of behaviour the government exhibits not only in this house but also in the broader community when it attacks media organisations, is secretive and uses the media to manipulate the information the public receives.

This Parliament is being manipulated today, and we all know already that the media is open to manipulation by any number of spin doctors employed as consultants by this government.

Mr BRUMBY (Treasurer) — I am delighted to be here and to support the sessional orders which have been presented before the house today. I am delighted to do that because they are sessional orders which will make this house a much more democratic institution.

I have heard a lot of speeches in this place over six years; I have never heard such pathetic drivel as I just heard from the honourable member for Warrandyte. The honourable member concluded his speech by saying, "So much could have happened". Well so much could have happened in the 1990s if only the honourable member for Warrandyte and some of the other opposition members here had had the guts to stand up in the Liberal Party room and make the sorts of pronouncements they have made in opposition in the house today. That is what we had today — one of the most jelly-backed displays I have ever seen in this place by a person whose speech was punctuated by as much cant and hypocrisy as I have ever heard in my life. It was an appalling speech.

If any of the new members in this place ever wanted to see today a representation of the bad old days in the Kennett era, they saw it today in question time with just 30 minutes. That is what used to happen day after day after day under the Kennett government — 30 minutes of question time.

Mr Honeywood interjected.

Mr BRUMBY — Because they are the standing orders, you dill.

The DEPUTY SPEAKER — Order!

Mr BRUMBY — They are the standing orders.

Mr Honeywood — On a point of order, Deputy Speaker, there is no standing order that requires a 5-minute contribution in a half hour, taking up almost 20 per cent of a half hour question time. I would ask the minister, who should know better, chewing his cud, to withdraw the reference.

The DEPUTY SPEAKER — Order! On the point of order, there is no point of order. Is the Deputy Leader of the Opposition claiming offence at a remark of the Treasurer's?

Mr Honeywood — I am.

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

Mr BRUMBY (to Mr Honeywood) — You are claiming offence because I referred to you as a dill? I withdraw.

If ever we wanted to see a sharp reminder, it was today in question time. That is what it was like day after day after day under the Kennett government. It is instructive for new members — 30 minutes of question time. The opposition each day had three questions on Wednesdays and Thursdays. Do you know what government changed that? The Bracks government. We promised to do it in opposition, and we did it in government. We said we would introduce a minimum number of questions every day and, guess what, we did it. Every day under the Bracks government five questions minimum for the opposition. But we did more than that because we had the most undemocratic institution in Australia. It sat the least days of any Parliament in Australia, so we said we would sit more days and ask more questions.

Just in case the honourable member for Warrandyte, who has a case of very serious amnesia today, needs reminding, I refer to the 1997 sitting days: commonwealth Parliament, 76; Victorian Parliament under the Kennett government, 43. I refer to the total number of questions without notice for lower houses of the Australian parliaments in 1997. I will pick out a couple. Queensland, 561; commonwealth, 1482; Victorian Legislative Assembly, 331 in the whole year of the Kennett government. We said we would change it and we changed it.

We said we would give private members more opportunity to raise matters. We said we would introduce 90-second statements. Guess what happened? We did it. One of the great successes of the last Parliament was the opportunity for backbenchers when they had electorate matters they wanted to raise, to come in here first thing in the morning and raise an issue. If they have a difficult constituent case or they have a public issue that is running, they can raise it without fear or favour, as they ought to have the right to do in the Parliament. But did we enjoy any such rights under the former Kennett government, of which the weak-kneed member for Warrandyte was a member? We enjoyed none of those rights.

As for using the gag and the guillotine, for goodness sake, the house hardly sat. We hardly got any questions. What an abuse of Parliament! I remember one year — I believe it was the 1997 or 1998 budget, and this is instructive to you, member for Box Hill — as opposition leader I was brought on to respond to the budget at 11 o'clock at night. Do you think that is democratic? Did you stand up in the party room and say it was undemocratic? Did you?

The DEPUTY SPEAKER — Order! I ask the Treasure to direct his remarks through the Chair.

Mr BRUMBY — The last Parliament — the first term of the Bracks government — was highlighted by the commitment to restoring democracy in this chamber. It does not matter what aspect you look at — whether it is sitting days, whether it is question time, whether it is the processes of the house or the opportunities for members and backbenchers — we made this a much more democratic institution.

Today that process goes further, because what we are doing with these reforms to sessional orders is giving more time for backbenchers to raise matters in debate. Not every backbencher can be a minister or a parliamentary secretary. Backbenchers want the capacity to be able to speak about matters in their electorate. That is what they want. One of the best ways for them to do that is through 90-second statements, so in these sessional orders we are doubling the time which is available for members to raise matters.

Honourable members interjecting.

Mr BRUMBY — No, all members. We have a Parliament, and members of Parliament of one view come around there, and members of Parliament of another view come around there.

Let us explore this because I heard the remarks of the Leader of the National Party earlier, who was complaining about the limits on speakers' time. He said that if you take this debate, for example, and apply the new sessional orders, members of the National Party would only have 80 minutes total contribution to the debate. I thought about that. There are seven members

of the National Party. The Parliament consists of 88 people. They are an 11th of it. If everybody had the same rights as members of the National Party, that would mean a debate of 7 hours and 40 minutes, which I would have thought is a pretty fair debate. It is longer than the debates we used to get under the Kennett government — 7 hours and 40 minutes. Why do you say one member is worth more than another member? That is what you are saying — you want special treatment. You still think you are the government under the old Kennett days where a Liberal Party member of Parliament was worth more than anybody else.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I again remind the Treasurer that the use of 'you' refers to the Chair.

Mr BRUMBY — The reality is we are making this a more democratic institution, and we are doubling the time, as I have said, which is available for members statements. That is something which ought to be welcomed by all members in this house. We are restricting the time that ministers can take to respond to adjournment debates. Again I listened to the honourable member for Warrandyte when he said ministers should be here. For goodness sake, the selective amnesia. Back in the Kennett days what used to happen is the Premier used to get up here and not respond to any matter, but when there was an issue that he wanted to run out, with the support of an overwhelming parliamentary majority, he would abuse the processes of the Parliament to do that until 11.30 p.m., 11.45 p.m. or midnight. We do not do that, and we are making sure in these standing orders that we cannot, so that the real purpose — —

An honourable member interjected.

Mr BRUMBY — You ought to have a look in the federal Parliament. In the federal Parliament the adjournment is — —

Mr Plowman interjected.

Mr BRUMBY — You have got worldwide experience too, haven't you? In the federal Parliament — —

The DEPUTY SPEAKER — Order! I remind the honourable member for Benambra that interjections are disorderly.

Mr BRUMBY — In the federal Parliament ministers do not respond. Do you know why they do not respond? Because it is an opportunity for backbenchers, not for ministers, for goodness sake. It is an opportunity for backbenchers to raise issues, so that is why we have given effect to that in these standing orders — more opportunities for backbenchers, less for ministers, particularly in a government with a big majority to lecture to the crowd — the time constraints there work against the interests of the government, not in favour of it.

We are reducing the time for speakers in debate. Again I have heard so much hypocrisy in this debate about that. The reality is that for most of the time we have been in this Parliament there has been a code of practice where on important debates the parties agree and there is a limit on the amount of time that people can speak. We want to make sure that this is not about less democracy, that it is about more democracy. It is about making sure that all of the people on both sides of the house can have an opportunity to speak, so that the debate cannot be dominated by just the minister and the two lead party representatives, and that backbenchers can actually get a say.

We are also allowing debate about parliamentary committees. For goodness sake, I would have thought this should be welcomed. Parliamentary committees spend an enormous amount of time looking into and researching matters. We have never had the opportunity to debate their reports in the Parliament. That is wrong. It will be rectified in the future.

Honourable members interjecting.

Mr BRUMBY — Goodness gracious, don't you think that parliamentary committees do anything useful? Don't you think they do something useful. If they do something useful, we should be able to debate their reports.

These reforms build on the reforms of the first Bracks government. They are about making a more democratic Victoria and a more democratic Parliament. They give more time to backbenchers on both sides of the house and improve the processes of the house.

For goodness sake, if anyone wanted a stark reminder of what this government swept away they should look at question time today. In the old days under the Kennett government question time took only 30 minutes, with three questions for the opposition. This government got rid of that. Now there are a minimum of 10 questions, more sitting days, more opportunities for members and a more democratic institution. I strongly support these sessional orders.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Mr COOPER (Mornington) — I am pleased to take part in a debate which enables members to make worthwhile contributions in the Parliament. It is remarkable that I have to say that, because when you have a look through previous speeches made in this chamber, and when you consider the contributions made to this debate by the Leader of the Opposition, the Leader of the National Party and the Deputy Leader of the Opposition, it is already quite evident that this is all about truncating debate.

How is it that the government is saying this is all about extending the contributions that members can make to debate in this house yet there are reduced speaking times for both the grievance debate and matters of public importance. Half an hour has been taken out of the time allowed for each of those debates, and on the basis of a 15-minute contribution that means two fewer members can make a contribution on a grievance debate and a debate on a matter of public importance. The former is a most important debate for backbench members, yet two fewer will be able to contribute to it.

Contributions by individual members of Parliament to debates on the appropriation bills will be cut from 20 minutes to 15 minutes. That is a significant cut in debating time on a large piece of legislation. The budget debate gives every backbench member in this place an opportunity to speak on virtually anything of concern to his or her electorate, yet their contribution time has been truncated by 5 minutes. If the sessional orders were ever applied to the address-in-reply debate, contributions would also be reduced from 20 minutes to 15 minutes.

The worst aspect of the proposed sessional orders is the debating time available for members on all other bills, because that is where the bulk of the speaking time is used and where most members want to make a point or two or three. In the years that I have been here I have seen the time progressively cut from 30 minutes to 20 minutes, and now it has come down to 10 minutes. That is not a bad sort of slice into the debating time of a backbench member, yet the Leader of the House is telling us that it is all about enabling a greater contribution to be made by members. Those two things simply do not balance. Nobody would see this as fair at all.

When a bill goes into the committee stage, contributions from members on any clause will be cut from 20 minutes to 5 minutes. Again we have to ask how we equate that with the argument being advanced by the government that this is in some way an extension of a member's rights and contributions to this place. The time allocated for members on procedural motions has been cut from 30 minutes to 5 minutes.

Again you have to ask the question. Of course the answer to all of those who are going to look at this honestly and reasonably is that this is a truncation of debate. This is a cut in the ability of backbench members of this Parliament to make a contribution. We get the spurious reasons given to us by the Leader of the House, the Treasurer and the Minister for Agriculture that this is in some way enhancing the ability of honourable members to deal with the business.

The Treasurer came in here just before lunch and gave us the usual 10-minute spray that covered the usual invective. It is almost like he just trots out the same speech and writes in different little parts into the bits with dots underneath them, and off he goes. And when he gets half an opportunity he immediately launches into whoever happens to be sitting at the table or whoever might offer a comment to him by way of interjection. Disorderly though it may be, it should never receive the kind of spray back that the Treasurer is wont to give.

As an aside I must say that in question time today, despite the very worthy appeal to honourable members by our Speaker in regard to behaviour, the first person who broke the rules, and so badly, was the Treasurer. He could not help himself, never can help himself, has never been able to help himself. So we got the same today just before lunch in his usual spray. Whatever argument he attempted to advance, he hung the whole thing around the extension of 90-second statements. The Leader of the House talked about 90-second statements being a well-sought-after part of the daily agenda of this house, and indeed they are, but they are 90-second statements. I suppose they are well sought after, because under the sessional orders introduced by this government when it came to power after the 1999 election, debate was diminished anyway.

Of course people took to the 90-second statements as a chance to be able to get on their feet and say something. Now we are getting the situation where the 90-second statement time has been doubled from 15 minutes to 30 minutes, so we will get a lot of honourable members standing up for 90 seconds during a 30-minute slot of the day. And that will have been their day; they can go off to their office and have a cup of coffee or have a sleep or whatever, because that is really the finish of their day.

So, of course, it is well sought after, but it would be nice if there were other opportunities for honourable

members to get up and make a contribution on pieces of legislation. You cannot say, 'Look, aren't we just wonderful? We have doubled the amount of time available for 90-second statements, and by the way we have cut the speaking time for individual members on the appropriation debate from 20 to 15 minutes, the address-in-reply from 20 to 15 minutes, on all other bills from 20 to 10 minutes and on procedural motions from 30 to 5 minutes, so we are actually doing something nice for the honourable members of this place'. The government is in fact cutting the amount of time.

John Ferguson had it exactly right in his article last Saturday in the *Herald Sun* when he said, referring to the upper house:

> In a political sense, these upper house reforms utterly defy everything that Labor said it stood for when it claimed it was for openness and accountability.

He had it exactly right. Then he went on at the end of the article to use language that we are not allowed to use in this place, Mr Deputy Speaker, but I am quoting him when I say:

> … never forget who did it, why and what a pack of hypocrites they really are.

That is what John Ferguson had to say. It was the strongest article I have seen in regard to dealing with things brought in by government in my 18 years in this place. I have never seen an article of such strength written by a journalist about a government of any kind or calibre than that one in the *Herald Sun* last Saturday. And whilst he was dealing with the changes proposed in the Legislative Council the reality will be that when John Ferguson sees what these sessional orders do, I have no doubt he will be urged on and be very happy to write an article in similar terms about the sessional orders which the government proposes to bring in here.

There is no doubt at all that these sessional orders will come in, because we have an overwhelming majority of the Labor Party — and that is fine, because Labor has a majority, it is in government — and it will be able to vote these in and no doubt that is what will happen. But the point that must be made, and which has been made by speakers on this side of the house already, is that having a majority in the house does not give the government the right to have a winner-take-all situation. I am not one who is entitled to speak for the National Party, but I think what has been done in regard to the National Party is nothing short of a disgrace. It is a disgrace, as the Leader of the National Party said, that his ability to reply to the appropriation debate has had a time limit put on it when both the Leader of the Opposition and the lead speaker for the government, the Treasurer, had no time limit at all — yet the National Party is being dealt with in that way.

What did we get when the government had a chance to respond to the complaint of the Leader of the National Party? Basically the Minister for Agriculture said the National Party should be grateful for what it had been given. He said the National Party, as a minor party, has had its position protected. Isn't it lucky? It has had its position protected! What an ungrateful lot these National Party people are! Here they are, being protected by this government, and they just see it as a truncation of their ability to get up here and enunciate a position on behalf of their electorates and their constituencies around the state.

Oh no, they have it all wrong. They have actually been given a real preference deal here by the Labor Party. This is the Labor Party's way of protecting the National Party. It is almost to be seen as standing there wondering whether it is better to be run over by a 20-tonne truck or by a 10-tonne truck, because that is the choice the Leader of the National Party has been given. As far as the other members of the National Party are concerned, they are in the same boat as the rest of us here on the other side of the house.

They are in the same position; they too will have their debating time truncated. Where is the promise that was made by the Labor Party prior to the 1999 election? I kept a copy of its written promise with regard to its policy document headed *Restoring Your Rights*. It reads well; it is great stuff! It states, in part:

> Labor will restore the integrity and effectiveness of Parliament and win back public respect for the political process.

Apparently one way of winning back public respect for the political process is to cut the speaking time for backbenchers in this place. That is one way the Labor Party — this government — sees as being the right way to go. When we read that we see some code — code that we, on this side of the house, do not understand but perhaps somebody on the government side will be able to explain to us later. What do those words actually mean?

I am assuming that the promises made by the Labor Party prior to the 1999 election still stand. Therefore we would like to know from government speakers who follow me in this debate their interpretation of the words:

> Labor will restore the integrity and effectiveness of Parliament and win back public respect for the political process.

It is code. We have worked that out. We are not that dumb. Now we need to have it explained to us.

Mr Nardella interjected.

Mr COOPER — We know that you think we are dumb; if that is the way you are going to treat us, that's fine. It's all right, Don, we will take your barbs and yelling. That's fine. We know we have to cop that, and we will cop it, but we would like to understand one thing: what does the government mean when it talks about restoring the integrity and effectiveness of Parliament? What does the government mean when it says in its policy — and this was a promise by the Labor Party — that there will be:

> More time for private members bills and other debates.

We would like to know about that, because that is a pretty firm sort of statement. It does not read as though it is equivocal. I see no equivocation in that. The policy states, 'Reforms will include' and among the five dot points is:

> More time for private members bills and other debates.

How do you line that up with a set of proposed sessional orders that slices away debate in virtually every aspect of backbenchers' time in this Parliament? How do you explain that? How do you explain 'More time for private members bills and other debates' when it is proposed that the grievance debate is to be reduced in total time from $2^1/_2$ hours to 2 hours and debate on matters of public importance is to be reduced from $2^1/_2$ hours to 2 hours?

As a side issue, but an important one, how do you explain a clause in the sessional orders that will allow matter of public importance debate to be truncated dead, well before its time has expired, if any honourable member stands up here and moves that the house move to other business? The proposed sessional orders state that. The fact that a matter of public importance debate can be truncated has been referred to by other honourable members. How can anyone explain that as something that is going to give more time for debate? How can that be explained as a reasonable situation?

For example, as the Deputy Leader of the Opposition said, if the opposition is mounting a matter of public importance debate which is severely embarrassing for the government are we — and clearly, now we will be — going to be subject to a guillotining of that debate before its time has expired because it is embarrassing to the government? When the government does not want to hear any more about it, when it does not want any more information exposed or whatever it may be, it will say, 'That is it. We are closing this debate down'. That is in the sessional orders. How will that be explained to people as being something that will restore the integrity and effectiveness of Parliament? More importantly, how will it be explained to people as something that will expand the rights of members to debate in this place?

The other point in the Labor Party's policy is that it would have:

> Reasonable family-friendly hours of sitting.

We heard the Minister for Agriculture while under pressure say there will be no changes in sitting hours. Where are the family-friendly hours coming from? What is the definition of that? We would like to know what that is all about. We would like to know why there is no one-to-one for the government and the opposition on matters such as questions without notice, the adjournment debate or 90-second statements. That does not expand our rights on this side of the house to have more debating time or more ability to become involved.

That proposal, which is going to be brought in, will truncate our ability to ask questions, truncate our ability to raise matters on the adjournment debate and truncate our ability to raise matters at any other times when that restriction is applied.

Finally I want to raise a matter that I regard as important, because if the government is sincere about introducing changes that are going to be to the betterment of the house and of members' opportunities, as the Leader of the House said when he introduced the proposals — he said they are all about enabling members to make a worthwhile contribution — why has no consideration been given to introducing the rule that applies in the other place with regard to questions on notice?

In that place questions on notice are put on the notice paper by members. Then there is a 30-day maximum rule for ministers to respond to those questions on notice. If a minister does not respond within the 30 days he or she is required to stand in the house and explain why they have not been able to respond within that time. It puts a worthy discipline on ministers.

I am surprised. The government is happy to proclaim its belief in democracy and in giving, as the Leader of the House said, members the ability to make a worthwhile contribution. Why is it that the question on notice 30-day rule that applies in the Legislative Council is not going to be introduced here? Call me a cynic if you wish, but I imagine it is not going to apply here; it is not

in the sessional orders because it does apply discipline to ministers and the ministers we have here do not want to have that kind of discipline.

They do not want to have the requirement put upon them to have to respond to members' questions. They want to follow the same rules that have applied for many years. It would bolster their cause if a 30-day maximum rule were applied to these sessional orders. It is clear we will not get that, that that will be ignored like anything else that is decent, and it is also clear that backbenchers and most of the frontbenchers on the opposition side in this Parliament are going to have their ability to contribute to debate truncated quite significantly by these sessional orders.

They are not good enough by a long chalk, and they deserve to be opposed. They certainly deserve to be reconsidered very seriously by the government if it is to maintain any kind of credibility not only with the people who pay some attention to what is going on in this place but also the general public in Victoria.

Ms DELAHUNTY (Minister for Planning) — I congratulate you, Deputy Speaker, on your elevation to high office. It is with great pleasure that I join this debate on the important matter of the new sessional orders for the 55th Parliament. I begin from the perspective of modernising this Parliament, making it reflective of a contemporary workplace and contemporary community expectations of elected representatives and the work we do in this place.

I begin also by acknowledging that it is a bit rich for the honourable member for Mornington to bleat in some sort of cri de coeur for what he would call the return to democracy, arguing that if these sessional orders are agreed to it will be a deficit of democracy.

That is a bit rich for the honourable member for Mornington, who was a minister in the former Kennett government and who achieved this headline in the *Australian*: 'Kennett gagging debate with jackboot tactics'. The honourable member for Mornington was a minister in that government. The article says that the then Premier, Mr Jeff Kennett, had already attempted to silence the *7.30 Report*, which I do recall, the *Sunday Age* and individual reporters and had attempted to silence his own backbench and the liquor commission — and, I would add, the churches — and then wanted to silence the Parliament as well.

The honourable member for Mornington was also a minister at the time of the 1999 election, when the then Premier went further and silenced his own ministers! I think his memory of what occurred under that former government is faulty. He did ask, 'How is the Labor government going to restore the integrity and effectiveness of Parliament?'. That is an acknowledgment that when we came into government there was a democracy deficit, and part of our job when we first came into Parliament was to restore open and transparent government to this state. We have a very proud record of that.

I remind honourable members of a few things: we have restored the independence of the Auditor-General; we have put government contracts on the government web site; we have opened up the planning process, now open and transparent; and we have lifted that draconian gag on our teachers, our principals and our school councils. That is not a bad start!

The honourable member for Mornington absolutely astonished me by defending or prosecuting what he though were the needs of the National Party. I understand that the National Party is a separate political party in this state and the Liberal Party fought against the National Party in a few key seats in the last election — unsuccessfully in the case of Lowan, I was very pleased to note. I think this is a hint, though, that — and God forbid this should occur! — should the National Party or the Liberal Party ever get back into government they would get back into bed as a coalition. Clearly the honourable member for Mornington was hankering for a coalition of the National Party and the Liberal Party in his quite exuberant defence of these so-called needs of the National Party.

So what are these sessional orders and how do they try to create a Parliament that is a little more reflective of a modern workplace than it has been and of community expectations about how members, ministers and others work in this place, and how do they give backbenchers in particular more opportunities to speak in the Parliament?

Let us begin with the hours. I think they could be characterised as trying to introduce reasonable working hours. It is unsafe and unwise, and you end up with bad policy in some cases, when you have ministers and honourable members trying to work without enough hours of sleep. It is also physically dangerous for honourable members to be driving home from this place at 3 o'clock or 4 o'clock in the morning, or even later. These sessional orders will try to entrench, if they are supported — and I believe they should be supported — an end for a parliamentary day at 11 o'clock. That gives honourable members a chance to get home safely and at least get some hours either with their family or with sleep.

Secondly, we are providing additional opportunities for backbenchers from all sides and all political parties to make more of a contribution in this place. We have set aside a new time in each sitting week for parliamentary committees. We happen to believe that parliamentary committees play an important role in the democratic process, that parliamentary committees join members of all political persuasions in analysis of legislation and discussion of matters of public policy and in providing solutions both to ministers and to the executive more generally.

They are an important part of the work of this Parliament, and their work should be reflected in the reports that will be made available through the reporting time suggested in these sessional orders. Also, importantly, this government will continue to ensure that Parliament continues to sit regularly. We saw that under the Kennett government the Parliament hardly ever sat under its sessional orders. Of course everyone was gagged, so there was not much to say anyway.

We have extended the number of days under which this Parliament will sit, we have extended the question time, the number of questions asked and the time set aside for questions without notice. Honourable members saw this morning how short was the amount of time set aside for the questioning of ministers. That is the old regime, the Kennett government regime that the member for Mornington and others seem to hanker for. They want to go back to those bad old days when the Parliament sat — I recall it very well — for 48 hours without rising, new bills were rammed through and exhausted members struggled to understand what was going on, least of all trying to make a contribution.

An honourable member interjected.

Ms DELAHUNTY — Yes, that is true, and the honourable member for Kew has illustrated that he has had trouble understanding what is going on, many times. So we are proposing that Parliament sits for more days, that we have hours that are reasonable, and that we look at the amount of time that is given to all members to speak on bills. I want to go to that, because the reason we have such long hours is often that people want to extend the debate without adding anything of substance. Even former member Vin Heffernan, whom we saluted in our condolence motion yesterday, said he wondered about the efficacy of speaking when no-one was listening and about the efficacy of speaking for long periods of time — I would add, in many cases without substance.

When I first came into this place I was introduced to the notion of playing up, which I am embarrassed to say occurred on both sides. It was something about talking it out so we would cause offence to the other side. I think that is juvenile and I think the public thinks that is absolutely juvenile. If we stand to speak we should be trying to add to the debate and not simply talking it out for some sort of political advantage or, in most cases, disadvantage to all honourable members.

It is quite clear that the extension of time does not necessarily mean quality. We are allowing more people to speak. I believe their contributions will be significant. Debate in Parliament is about ventilating the issues. It is about reflecting your electorate's interests or concerns. It is about proposing alternatives. It is not personal abuse, it is not vitriol and it is not waffle. I have to say that constituents in certain electorates in the last election dealt very harshly with a couple of members of the last Parliament who in my view abused the Parliament with vitriol and personal abuse which in many cases was quite noxious to debate. We are trying to avoid that.

We have introduced the 90-second statements. That was an initiative of the Bracks government to give all backbenchers a chance to make a comment about an issue of importance in their own electorate. It is extremely popular on this side of the house and I believe it is popular on the other side of the house. I believe it is a reflection on the connection that Labor members certainly have with their constituents that there is such competition to get on the list of those who will give 90-second statements.

In finishing, I will make one comment about the diversity that we now see in our Parliament. Some of the rules have been set in a time when Parliament was the province of men of property. We have moved well past that. We now have a much more diverse group of people elected to this house, particularly on the government side. We have 35 women from the Labor Party in Parliament.

An honourable member interjected.

Ms DELAHUNTY — I am still counting, but I think there are only a couple from the other side, and in the other house there are a couple. So we are very sensitive to the diversity of members in Parliament. We are also sensitive to the responsibility that members of Parliament have outside of this house, both to their constituents and to their own personal family relationships. We know that we have a long way to go to make this Parliament family sensitive, but the hours and other changes that will be made will begin that process of modernising this Parliament, making it reflective of the community we serve and making it

efficient in analysing and passing legislation under which we all live.

Mr DELAHUNTY (Lowan) — First of all can I say congratulations, Deputy Speaker, on your election to high office. I am pleased to say it has been interesting sitting in this debate on sessional orders. I heard so much about openness and accountability before I arrived in this place, but these orders put a fallacy to that notion. They go strongly against country Victorians. Before I go further I will comment a little on the comments made by the Minister for Planning.

As to the comment about finishing at 11.00 p.m. and wanting to go home, can I say that I have $3^1/_2$ hours of good driving to get home. I am really worried that if we do not sit for longer hours each day we will have to extend our number of days in this place before going back to serve our electorates. My reading of this, having looked at previous sitting days, is that we are sitting less days than we did last year. So that is another fallacy, that we are sitting more hours.

Government members are saying we are going to sit more hours. The reality is that it will not happen. Labor has often been notorious for filibustering. We have heard it here today, and we have talked about it happening, particularly in the Legislative Council. I have often been told that a good speech is a short speech, but I will not finish now!

The 90-second statements are a good opportunity for honourable members to speak, and Labor members claim that they brought them in. The reality is that they were pushed across the line by the Independents charter to bring them in. Do not claim credit for something the government did nothing for. The government talks about diversity of debate, but the reality is that you need the best person for the job, even though I agree that we need more diversity in the debate.

No other state to my knowledge limits the scrutiny of government like these sessional orders will do. The Leader of the House said today that this increases opportunities. For whom? It does not increase them for the National Party, that is for sure! I think it is about forcing the Labor backbenchers to do some more work. The reality is that before there was often goodwill between members of Parliament. There were occasional problems where someone stepped across the line, but their own party members were disadvantaged if that happened because it limited the opportunity for them to participate in the debate.

The National Party is often recognised as punching above its weight, but these sessional orders limit the National Party's opportunity to go those 12 rounds. We are going to get them cut back to about 8 or 6. The reality is that the government will limit the debate on these things.

I will go to the time limits. I was pleased to get a copy of the proposed changes, and I will focus in particular on the bills. As we know in this place — and I have been here only a short time — the majority of legislation, contrary to community perceptions, goes through with agreement between all parties. However, there are obviously times when there is major disagreement. Here we will limit the debate to the lead speaker from unlimited time to 20 minutes for the National Party. In our party the lead speaker takes the role of covering all issues across country Victoria. To do that in 20 minutes is a nonsense, it is gagging the opportunity. Backbenchers had 20 minutes to cover their electorate issues, but the government is going to cut that by 50 per cent — not by 10 per cent or 20 per cent, but by 50 per cent. In the one time of the year when we can speak about the budget the government will cut the National Party back from unlimited time for the lead speaker to 1 hour, and backbenchers will be cut back from 20 minutes to 15 minutes.

What I really want to highlight is the time limit for the address-in-reply. The address-in-reply is the opportunity for all of us to speak about the government's strategy for the next 12 months but also particularly for new members of Parliament to make their inaugural speeches. The electorate of Lowan, which is 26 per cent bigger than the largest electorate of the last government, is 34 500 square kilometres. I can fit 76 of the other 87 members within that electorate. I would like to cover some of the issues from all those towns. In that area I am responsible for 7 councils, about 60 schools and 10 health services, so there are many issues, but for a backbencher to come into this place and to cover that in their inaugural speech in 15 minutes is gagging their opportunity. Yesterday we talked about members' inaugural speeches. They will have to cut their speeches in half and miss out on talking about many of their issues. They will miss out on a great opportunity to put their concerns on record.

The other issue is the adjournment debate. When I first started I found the adjournment a great opportunity to raise local issues, and in most cases when you spoke to the minister you got a reasonable response. That changed during the last term of government. The ministers would normally come in and respond but now we are lucky to see one or two ministers. The presentations today highlighted the fact that we will see ministerial time — it does not say 'minister's time' — now being limited to 30 minutes. I know that some

ministers can do it in a couple of minutes but the majority of them take a long time. I can see that adjournments will be a waste of time from the point of view of local members bringing up issues from their electorates, so I am strongly concerned about that time being cut.

The time for matters of public importance (MPI) has been cut, as has the time for grievance debates. What worries me, however, is that at any time during the discussion on the MPI a motion may be moved by anybody that the business of the day be called on. If it gets too hot in the kitchen, what do you do? You do not walk out, you just change the rules so you do not get any more heat in the kitchen! It is an opportunity for the opposition parties to bring forward issues concerning them.

The honourable member for Benambra referred to the debate on reports, particularly minority reports. That has not been addressed by government speakers to date. It also highlights the reason for debates in this place, because that is often the time for honourable members to introduce amendments.

Referring to the discussion about the debate on bills, as I said earlier, the lead speakers currently get unlimited time. I do not see a problem in reducing that time if the bills are supported by both sides of the house, but where there is a difference of opinion I would like to think the government has the commonsense to change the sessional orders so there is unlimited time for debate by the lead speakers.

I highlight the fact that during the three and a half years I have been here goodwill has been shown by all members of this place. These proposed sessional orders will take away the opportunity for that to happen in the future. It is said that the proposals will reduce the opportunity for all-night sittings. My reading of the sessional orders is that there is no change and that we could still sit on Fridays. I do not see any changes in the proposals, different to what the spin doctors have been pushing in the media.

The 90-second statements are a good opportunity for honourable members to contribute to Parliament. They worked on a fifty-fifty basis — a government member and then an opposition member — but it is proposed to have a formula that will regulate — —

Ms Allan interjected.

Mr DELAHUNTY — No, it does not. The reality is that we would have got a better show under the old sessional orders. This new formula will mean that backbench members of the Labor Party will have to get off their backsides and do something. The Leader of the House said there would be more debate under these sessional orders, but the reality is that it will result in less time and fewer sitting days.

I conclude by saying that the sessional orders are about curbing debate. They are unfair, unjust and, importantly, unnecessary. I do not think they have any principles in the Australian Labor Party, and they have no shame.

Ms ALLAN (Minister for Education Services) — It is always a pleasure to follow the honourable member for Lowan in debates in this house. I congratulate you, Deputy Speaker, on your appointment, and through you I congratulate the Speaker and the President in the other place on their appointments. I refer briefly to their appointments. The elevation of women to senior positions in Parliament demonstrates to the broader community that the face of Parliament is changing. The changes proposed to the sessional orders demonstrate not only that the face of Parliament is changing but that the practices of Parliament are changing as well. That is important, because they will better reflect contemporary expectations of what Parliament is about while we are here.

The institution of Parliament is at the centre of our democracy under the Westminster system of government. As a democratically elected member of Parliament in 1999 I was very surprised at the way parliamentary debate operated. As a new member I thought, as did many of my colleagues — and, I am sure, as do the new members who are present today — that the way Parliament is currently structured reflects a time that passed many decades ago. What we are trying to do through the sessional orders is make Parliament and members of Parliament reflect more contemporary standards and expectations.

These changes will mean more opportunities for members to raise issues in this place. That can only be good for democracy in Victoria. I refer to doubling the amount of time available for members statements. The National Party will be one of the beneficiaries of this increase in time from 15 minutes a day to 30 minutes a day. That will be a marvellous opportunity for every single member in this place to raise issues on any matter. In the previous Parliament I, like many of my colleagues on the backbench, used those opportunities time and again to raise issues of importance to our local areas. You do not normally get those opportunities during the normal course of the Parliament — for example, during debate on bills and the like — but honourable members got those opportunities through the 90-second statements.

It is important to note that the Labor Party introduced 90-second statements into this place. Labor saw how effective they were in the federal Parliament, so in 1999 it decided to give more members of Parliament the opportunity to raise local issues. That is what we are elected to do — represent our electorates in this place — and the more opportunities we have to raise local issues the better.

The same is true of the adjournment debate, which provides a number of opportunities for members of Parliament to raise local issues. As I recall opposition members have never had many problems raising issues in their electorates. We should never underestimate the importance of that particular debate.

As I said earlier, the changes will mean that the voices of our electors will be heard in this place. That is something that will be broadly welcomed by the community. It is also in line with their expectations of what we do here. The Australian Labor Party recognises that Parliament is the people's house and is not to be treated as the plaything, as the conservatives did during their period of government from 1992 to 1999. For too often this place was the plaything of the conservatives, who pushed legislation through Parliament that was not in line with community expectations. I refer to legislation such as the nobbling of the Auditor-General and the privatisation of the electricity industry. That is an example of legislation that was dramatically out of step with what many people in our electorates felt.

Under the Labor government Parliament will be more democratic. We have demonstrated our commitment to democracy and to reforming Parliament in such a way that we can build on those democratic principles. Consider just one great example in our first term. I am sure those honourable members who were present will remember the wonderful day we had in Bendigo in August 2001, when we took the Legislative Assembly to Bendigo. That was about the Bracks government taking Parliament to the people, providing country Victorians with the opportunity to see how their Parliament operated. I know it was a marvellous day for Bendigo. Many Bendigo people still talk about that great day and the opportunity they had to see their Parliament operate in their own city. I particularly welcome the changes to the sessional orders that will make our Parliament more democratic.

I also welcome the changes that will allow us to have more reasonable sitting hours. I defer to the honourable member for Lowan, who has a much longer distance to drive home than I have. Late-night sittings can be extremely draining, particularly for country members of Parliament. It is not so much that you have to come back the next day, it is the long drive home at the end of the week. I welcome the changes.

A lot has been said about the balance between work and family life and about family members striving to get more balance into their lives to accommodate time for each other. As members of Parliament we have the opportunity to lead the way. Some of us might like to see it go even further, but we are taking great steps forward to demonstrate to the community that we are also serious about a work-life balance and that we want to see more of that within a range of institutions. It also reflects the fact that many members in this place have young families and long distances to drive home, so it will be good for them. The changes will be welcomed by many honourable members.

Question time today was a fantastic reminder of what life used to be like under the former Liberal-National Party government.

Ms Asher interjected.

Ms ALLAN — The honourable member for Brighton says I was not a member at the time, which is so, but I certainly noted the way the former government treated question time like a plaything. It had no respect for the right of the opposition to raise questions. As we saw today, under the current sessional orders question times of 30 minutes lead to increasing tension and frustration on both sides given the limited opportunity to raise issues. It is incredibly hypocritical for honourable members opposite, particularly those members who were the culprits under the former regime, to criticise the changes to sessional orders that will increase the opportunities for question time that exist under the current sessional orders.

As I said earlier, these changes will bring democratic change to the way we operate in this place and make Parliament more reflective of today's standards and what the community expects from its Parliament.

The face of Parliament has changed enormously, particularly over the past 10 to 15 years, when we saw more women members of Parliament. As my colleague the Minister for Women's Affairs said earlier, we have seen a record number of women on our side of the chamber in this Parliament, and we have many more younger members of Parliament getting elected than ever before. We also have Independent members of Parliament. Independent members of Parliament have not been a feature in the past 150 years of Parliament operating in Victoria.

An honourable member interjected.

Ms ALLAN — Not always. More recently we have seen the election of Independent members of Parliament. We have also seen a number of members of Parliament with a diverse range of ethnic backgrounds. The changes to sessional orders reflect the fact that the face of Parliament has changed, and I welcome these changes.

Mr INGRAM (Gippsland East) — It is a pleasure to join this debate in the new Parliament. It is an interesting debate for me, because I was not involved in the last debate on sessional orders. I understand it was fairly intense and a number of changes were made. We saw one of those changes today — in question time we saw a change from how it used to operate.

The Independents were mentioned by a number of speakers during today's debate — not all favourably, I might add, but you cannot expect too much in this place. A number of the earlier changes came about partly from the negotiations undertaken by the Independent members in the last Parliament, including those to question time and the opportunities for honourable members to present members statements. We did not achieve everything we would have liked, and with hindsight a number of glitches in the sessional orders of the last Parliament became very apparent. I negotiated with the Leader of the House in an attempt to achieve some real improvements to our sessional orders.

I am not sure whether many honourable members realise that we have to go through a debate on sessional orders at the start of every Parliament because our standing orders do not provide for some of the things we need to do. We need to go back and reform our standing orders to enshrine in them some of the things we are discussing today so that we will not have to go through the charade at the start of every Parliament.

I flag at this time that I have some amendments to the proposed sessional orders that I would like to be circulated.

Independent amendments circulated by Mr INGRAM (Gippsland East).

Mr INGRAM — I circulated these amendments to the leaders of the parties earlier and asked them to take them into consideration because I believe there is some merit in them. We had serious discussions with the Leader of the House on a range of issues concerning the last sessional orders that we thought needed addressing. I will break them down to simplify them.

The first concerns amendments to government legislation. Currently when either opposition or Independent members put forward amendments to legislation and the debate on that legislation hits the guillotine, there is no opportunity for those amendments to be debated or voted on, and that is an undemocratic system.

The second concern is that we noticed in the last Parliament that there is no real mechanism to have private members bills introduced, debated, and voted on. It is a fundamental democratic right of a member of Parliament to be able if he or she has an issue — it may affect the entire state, but legislation may impact on individual rights within a member's electorate — to have the opportunity to put forward a private members bill and have it debated and voted on. We need a mechanism to do that.

We succeeded in having one private members bill introduced, debated, voted on and passed in the last Parliament. We also had one that was voted down. But the current structure for bringing in private members bills is inadequate — it has to be done by unanimous agreement by all members of the house. Nearly every other Parliament in this country, in fact in most Western democracies, has provisions to enable members to put forward private members bills and have them discussed. That is something we need to have in this place. I have put forward these amendments for consideration to allow for that to be done on days when matters of public importance are debated.

The third matter that has been debated at length is the limit on sitting hours. We proposed in our discussions that the Parliament should not sit after midnight — that is, we proposed that the opportunity for extended sittings be cut out. For that to happen there would need to be some limitation on speaking times. If the guillotine is able to be used at the end of the week, there needs to be some limitation on speaking times, otherwise we will not be able to fit everything in. I do not think the current proposal is right.

The other matter on which we had discussions with the Leader of the House concerns questions on notice and the need for provisions to ensure that they will always be answered. We put forward a number of changes, but I have not dealt with all of them in the amendments. I have put forward amendments to three main issues. The first is to ensure that when bills hit the guillotine on Thursday afternoons all amendments can be voted on.

I am a member of Parliament; I am here elected to represent my constituents. If my constituents are to be unfairly treated by legislation, I deserve the democratic right to put forward amendments and then have those amendments considered by this house, and the current

situation does not allow it. I think that one should be considered; the other one, as I said, is the private members bill.

There has been an interesting discussion on speaking times. Another amendment I have proposed is that, while recognising that the government believes it needs to reduce the total amount of time for speaking, some bills, particularly complex bills, require longer than 10 minutes to go through. I think from the last Parliament you could argue that the constitutional reform which institutes major changes to the functions of both this house and the other place could not be done by an individual member of Parliament in the detail it probably needs to be done in 10 minutes. I rarely took my full 20 minutes in the last Parliament, and we will probably not take the fully allocated time now. But on some bills you need to have more opportunity to do that.

Members of the parties can stand by the decisions the parties take on individual legislation. They do not have to necessarily justify to their constituents why they have taken a particular position on a bill. But as an Independent member of Parliament I am here representing my constituents and I believe I am duty bound, particularly on controversial legislation, to fully explain within this place and put on the public record why I have taken a position, because I cannot defend myself by saying that the party has taken the position. So with the amendment I have said that I believe 15 minutes is an adequate time on most legislation for honourable members to get the issues across that they need to.

With some legislation you have to be cutting it short. If you look at the relevant times in other parliaments around Australia you will see that, quite interestingly, they are much longer. For instance, a full report was done by a select committee of the South Australian Parliament on parliamentary procedures and practices. It went through and made recommendations to the South Australian Parliament on what it believed should be the range of speaking times. The South Australian Parliament imposed limits because there were problems with lead speakers abusing the system by speaking for too long and filibustering. It has put limits on its lead speakers, and the limit it has put on is 1 hour.

I think that with most complex pieces of legislation — maybe not with all of them — lead speakers should be able to get their point across in an hour. Most times on most legislation I would get it across in 10 minutes, but on complex legislation you cannot do that. After going through all the issues what the committee came up with is that on bills normal members should have 20 minutes. They kept the speaking time for normal members the same, but they did reduce a number of speaking times. The other thing I have proposed — —

An honourable member interjected.

Mr INGRAM — No, I do not intend to take too much more time here today. I would like the government to fully consider the amendments put forward. I know that sometimes we will not win these debates, but I believe it is the democratic right of a member of Parliament to put forward issues, put forward ideas, make their views heard, and have those acted on.

To finish my presentation today I would like to quote from a discussion on sessional orders in 1996:

> It is important because we have seen elsewhere that if the executive arm of government takes control of the parliamentary process it inevitably leads to problems. There are issues of structural imbalance and structural corruption that occur and then there is a breakdown in accountability.

So basically when the executive arm takes control of Parliament there is a serious problem with the parliamentary process which could lead to corruption. That speaker then went on to say:

> It happened in Queensland, where the executive arm of government was all-powerful …

This is a challenge for the current government. The speaker at that time is the Leader of the House today. I would like to think that he would go back to some of his old speeches and consider the implications of not allowing adequate debate.

Today on the steps of this Parliament there are protests from some of the constituents of my electorate in the timber industry. There are two ways the community can have their voice heard. They can have their voice heard out on the front steps of Parliament in protest, or through their elected representatives here. If you take away either of those rights of a community, you really break down the fundamentals of democracy.

I do not think we are going that far here, but we need to make sure that we do not take away the full opportunity for members of this place to put forward issues that they feel are important and adequately debate legislation, because all legislation impacts on people's lives and businesses.

Mr MILDENHALL (Footscray) — Speaker, as your neighbour and colleague I offer my congratulations to you on your elevation to your high office.

One of the highlights, or some might say the lowlights, of my parliamentary career was one night in, I think, about 1994 when the then government, with its commitment to open and democratic processes — which has been lauded today by opposition members — and ventilation of issues out for the community, tried to force the honourable member for Broadmeadows, as the then Leader of the Opposition, to provide the budget response from the opposition at around 11.30 at night. In a tactical manoeuvre I was invited by the then opposition to speak all night to enable the Leader of the Opposition to be able to present his response to the budget at a time when some media could be present.

The then government gave in — at around 4.00 a.m. — when it was clear to both me and to all present that I was well capable of speaking for at least $8^{1}/_{2}$ hours, which was the required time. I note that — —

Ms Asher interjected.

Mr MILDENHALL — I know; there is some time limit to my address now. But to those members of the opposition yearning for that opportunity, yearning for those good old days, and yearning to be able to do that, the good news with these sessional orders is that they will still be able to have their lead speaker speak for that duration.

But I think it ill behoves opposition members to come in here and talk about their commitment to open and democratic parliamentary processes. The fact of the matter is that this is a modest set of incremental reforms to sessional orders which provides for greater participation and greater opportunity and brings us slightly closer to the 21st century.

Now I can understand, as many on this side of the house can, that with the General Custer-like experience the opposition has recently gone through in the November election, opposition members would be supersensitive to what they believe to be any incursion on rights or on their ability to put their point across. But I do not think it warranted the hyperbole, the embellishment and the florid claims made by the leaders of the Liberal and National parties about these sessional orders. Quite simply, they formalise the sorts of informal arrangements and agreements that were entered into in the last session, where speaking times were truncated to allow a greater number of people to present the perspectives from either their areas of expertise or their electorates.

The proposal doubles the opportunities for 90-second statements. It provides opportunities that have not previously existed to debate parliamentary committee reports. It is about reducing opportunity for the tedious repetition and filling out of available time that had become a feature of this chamber and providing more opportunity for particular perspectives to be put. It also, as the Minister for Planning detailed, lowers that significant risk to honourable members' health occasioned by the extraordinary hours this house sometimes sits.

But my main point is that it is an incremental move to reduce those endless days of longwinded ventilation of the minutiae of legislation as the main form of communication in this institution. I do not know of any other forum or any other purported means of communication in our community that offers the opportunity of taking so long to present simple messages as the Parliament does, because the maximum time limits have become the minimum. Member upon member from each side was required to prepare notes to meet that maximum time limit and to pad out the debate.

I believe the time limits that are being proposed in these sessional orders will force honourable members to prepare their communications and their points in a more succinct and economical way. I see the sessional orders as essentially about making our communications and presentations here more effective and more efficient. They reduce the time available and force us to be more focused and succinct with what we are trying to do.

The details of the sessional orders have been gone through in some detail by the Leader of the House. I find it difficult to accept that there are major weaknesses in them. The major point offered by the Leader of the Opposition was around grievance debates and matters of public importance. I hark back to those good old days of the adjournment debates in this chamber, where the threshold for a question to satisfy the criteria for an adjournment debate occupied a major part of the debate. Did a question raised by the opposition satisfy the criteria or not? Often after an hour of debate about whether a question could be debated or not, the debate proceeded, but on many occasions it did not, and the business of the house reverted not to government business but to the general business motion on the notice paper, which was often years out of date and had very little relevance to the current concerns of members in the Parliament.

I suggest that for the opposition to either yearn for the return of those sorts of days or to regard the present situation as inferior to that is to deny reality. It is a pleasure to support these sessional orders. They are a steady and incremental improvement to what we have

been used to in the past, and I wish deliberations on them and agreement to them by this house a speedy passage.

Ms ASHER (Brighton) — When I entered the Parliament 10 years ago I was under the impression that my role in this Parliament was to speak, to represent my constituents, to put forward views and to articulate policy positions. However, I have been advised today by the Leader of the House that should I speak for more than 10 minutes today, as I intend to do, that would in fact classify me as a selfish individual.

I do not accept that logic; I do not accept that proposition at all. In fact I think one of the great dangers in the procedures for this Parliament that we are debating today is that they massively cut the opportunities available to opposition members in particular to debate issues of importance, and it is on that basis that the Liberal Party opposes them.

These sessional orders are a key example of the Bracks government's spin and lack of substance. They are a key example of where I take my hat off to this government — it is very, very good at managing media. It is very, very good at spin. However, once you look at the small print and once you look at the sessional orders that have been distributed to members of Parliament here, you can see that what the government says and what the government is actually doing are two entirely different things. I refer in particular to a media release from the office of the Premier dated 18 February of this year. The heading of that media release is 'Premier introduces improvements to Parliament'. I am not so sure I can see any improvements in these sessional orders, although I am perhaps prepared to concede the doubling of the time for the 90-second statements.

The Premier went on to say in his press release:

> Barring unforeseen circumstances, sittings will conclude at the end of the adjournment debate, which will begin at 10.00 p.m. and run for up to an hour.

The Premier also went on to say:

> This should ensure MPs remain refreshed and able to deal with legislation coming before them — it will see an end to the days of Parliament sitting until 4.00 or 5.00 a.m.

I hope that is right. I hope we do see an end to the days of the Parliament sitting until 4.00 or 5.00 a.m., but there is nothing in these sessional orders that will actually stop that.

These sessional orders are virtually the same as sessional orders that have operated previously, and they say that the house goes on to the adjournment at 10.00 p.m. There is a time limit of half an hour on adjournment issues, then the ministers respond, now with a time limit of half an hour. Generally this Parliament goes home at 11.00 p.m., and I have to say I do not know what is family friendly about 11.00 p.m. Maybe other people have a different lifestyle to me.

Mr Robinson interjected.

Ms ASHER — Maybe the honourable member for Mitcham goes home at 11.00 p.m. and sits down to dinner with his family at 11.30. That is not the way my family operates, but maybe my family is unusual.

I do not accept that finishing Parliament at 11.00 p.m. is family friendly in the first instance, but the provision is still there that should the government — and this is at the whim of government — want the house to sit beyond 11.00 p.m., it will. That is what this government will do. There is nothing in the sessional orders that will stop this house sitting beyond 11.00 p.m.

The actuality of the sessional orders before the house is that they are a curbing of opposition opportunities to speak under the guise of a family-friendly Parliament. In fact the claims made in the press release issued by the Premier on 18 February are a sham.

I recall the days of 1992 when the opposition in this chamber was upset over changes to sessional orders by the then Kennett government; it was upset over changes to the conduct of the grievance debates. In particular it was most upset over the fact that the adjournment matters were going to be curbed from 5 minutes to 3 minutes. Many pages of *Hansard* were filled with the great upset of Labor Party members who were very, very concerned that adjournment matters were going to be cut from 5 minutes to 3 minutes.

I might add that the changes proposed today by the Australian Labor Party are major compared to the changes proposed in 1992 in terms of opposition access to speaking time in this Parliament. They are major not only in terms of cutting time, which has been touched on by a number of speakers but also in regard to the trashing of the traditional government/opposition approach, which was one speaker from the government and another from the opposition. When one reads the details of the proposed sessional orders one sees that that has been trashed.

I will go through the cuts. Firstly, grievance debates will be cut from 2½ hours to 2 hours; but there is something even more insidious, because a maximum of only eight members are to participate. Likewise the total time for debate on matters of public importance is

to be cut. I regard the changes to the debate on the adjournment of the house to be particularly insidious in light of the ALP's objections in 1992, when the time for adjournment contributions was cut from 5 minutes to 3 minutes. On the face of it, it looks as if there will be no change with 3 minutes a speaker and a half hour maximum. But when one reads the fine print one sees that there is to be a limit on the number of members raising adjournment issues.

The government has taken note of the Liberal Party's practice in the last Parliament, when it cut individual speaking times from 3 minutes in order for another colleague to get up another issue. In the sessional orders now before the house the government says that that cannot be done. It is insidious, because the Leader of the House advised us that he wanted a sharing of speaking opportunities in the house. The rationale for cutting back the time of lead speakers as well of that of other government and opposition speakers was, he said, to share. However, the mechanisms in both the grievance and the adjournment debates are designed to ensure that opposition members cannot share the brief time allocated to them.

The times for the appropriation debate have also been cut, and other speakers have touched on that. They have also been cut for debates on the address-in-reply and bills. Setting aside cutting the time of the lead speakers, I regard it as dangerous that backbench members of Parliament have only a maximum of 10 minutes to debate bills. Members are entitled to debate the many complex bills that come before this house, as well as the many bills which are not complex but which also affect people's lives and electorates. The government is now saying that members will have to curb their contributions to 10 minutes.

This is not about cutting lengthy speeches. Earlier I heard some shockingly disparaging comments about the contributions of the honourable member for Box Hill. I would have thought that of all the speakers in this Parliament the honourable member for Box Hill is one who does not repeat himself and offers an intelligent and considered point of view. Quite frankly I find it offensive that the ALP has singled him out. There are many examples of speakers who are repetitious and tedious, but to hold up the honourable member for Box Hill as an example is grossly unfair and, more importantly, inaccurate.

The changes to parliamentary procedures are wrong. They show how far the ALP has drifted from what it stood for in the 1990s. I refer to its 1999 election document called *Integrity in Public Life*. Under a heading 'Restoring the credibility of the Parliament' the ALP's election promise stated:

> Parliament is the core institution of our democracy, but in recent years it has been degraded and abused by an arrogant executive government.

I suggest that this government is showing signs of being an arrogant executive government, as instanced through these sessional orders. However, when I saw these sessional orders I was reminded of the Governor's speech — not the Governor's speech that was given to the Parliament yesterday but the one given in 1999 when the ALP was quite justifiably excited about what for it would have been an unexpected win. The Governor's speech of 3 November 1999, which was of course under the direction of the government, stated that the government wished to:

> … revitalise Victoria's democratic institutions …

Indeed the Governor pointed to five pillars that the ALP stood for in 1999, three of which related to the procedures of this Parliament. The first was to promote open and accountable government; the second was to improve the democratic operation of the Parliament; and the third was to introduce 'an improved code of conduct between government and all other members of the Parliament', which is not something that I am aware had occurred. The Governor then went on to say:

> The government's legislative program will sow the seeds of lasting and permanent democratic reform, focusing on the implementation of its program for good government and reform of the Parliament.

Later in the speech the Governor said, as a reflection of the ALP's legislative agenda:

> These measures reflect the government's belief that open public debate is vital for a healthy democracy. The government acknowledges and supports the right of the Parliament and the community to scrutinise the actions of the executive.

The ALP has travelled a long way since 1999. The sessional orders before the house severely limit the capacity of the Parliament to scrutinise the executive, and that is unfortunate. But do not rely on me for evidence of this — —

Mr Haermeyer interjected.

Ms ASHER — I am glad the Minister for Police and Emergency Services has assured me that he will not rely on me. I prefer to rely on a former Labor leader. I do not often confess admiration for the intelligence of Labor leaders, but one of the more erudite in recent times was the Honourable Jim Kennan. I refer the house — —

Mr Haermeyer interjected.

Ms ASHER — I did not say 'political', I simply said 'erudite'. On 28 November 1992 in a debate on sessional orders which analysed such sweeping changes as cutting individual contributions to the adjournment debate by 2 minutes and having more government discretion over grievance debates than the Labor Party wanted, Mr Kennan had the following things to say:

> Parliament is not simply to be seen as a tool of the executive …
>
> Parliament itself is an institution … What we have here was wheeled in yesterday without consultation, and without notice this motion is put forward today by a government that has a large majority in both houses following a decisive election victory.
>
> The test for the government in those circumstances is whether it will act in accordance with its previous rhetoric.

That is the test for this government. The answer is a firm no. Look at the 1999 policy document; look at what was published in 1999; look at the agreement with the Independents in 1999; look at the Governor's speech in 1999. The government has failed the first test as articulated by Jim Kennan. The government has not acted in accordance with its previous rhetoric. Jim Kennan went on to say:

> Will it act in accordance with the spirit of democracy, or will it take a bulldozer approach? The test of governments — and ultimately they are judged in the longer term on these sorts of issues — is whether they have a healthy regard for democracy, or whether the extent of their majority and the fact that there is a government controlling both houses lead to an arrogation of power and the corrupting influences that Lord Acton referred to.

Jim Kennan then went on to say, and I regard these points as particularly significant in the light of the fact that this government does have a healthy majority in both houses:

> It must be understood that Parliament is a forum not only for the government but also for the opposition. The Parliament is made up of all members and is not just a forum for one side. In circumstances where the government of the day has a comfortable majority the procedures —

in other words, what we are debating today, the sessional orders, the procedures —

> are especially important if Parliament is to work properly.
>
> In circumstances where the government controls both houses of Parliament with a comfortable majority the importance of the procedures is heightened even further, because the opportunities for the opposition to raise and debate issues and seek information are fewer.

He actually made the very valid point that in previous parliaments when Labor had been in office and the Liberals had held a majority in the upper house, that provided the opposition party with an important forum. It could raise issues and exert its numbers — to use that crass term — in the upper house. He was making a series of points in this speech on sessional orders, this very topic, in 1992, saying that there has to be a particular sensitivity to the rules, procedures and sessional orders where a government has a majority in both houses. I urge the Labor Party to look at this speech and hopefully learn from it. Jim Kennan went on to say:

> There is a substantial government majority and we must be careful that in the proper interest of parliamentary democracy the procedures are such that opposition members receive and are seen to receive a fair go. However, the reverse is happening.

That is, of course, what is happening now, on speaking limits, on cuts to speaking times and on cuts to lead speakers' times. He said:

> The government has come here today and intends to curtail that opportunity.

Is that not a sense of deja vu?

> It is doing it in a draconian way.
>
> These changes were introduced within hours of the Parliament convening for the first time and the government is seeking to press it through on the second day. This action reeks of the attitude that the government is running the show. It appears to be saying, 'You are just a nuisance on the other side. If you don't like it you can go out and flounder around and try to find some other forum. You don't have any proper role in the Parliament and will not get any air time because we now control both houses and we are going to run it right through'. Time and again this arrogance is shown by governments that are elected by large majorities.

I must say I do not often find myself in agreement with Labor leaders, but I agree exactly with what Jim Kennan said. Erudite, thoughtful, the sort of leader I think the Labor Party would have some pride in still. I hope it would, and I agree completely with those sentiments that he expressed in 1992.

I also refer to a document the ALP produced in May 1997. I understand the author was John Brumby, the now Treasurer. The document was certainly printed and authorised by one J. Lenders who is now Leader of the Government in the upper house. I wonder if he casts his eye over this document produced as recently as May 1997? So what was the Labor Party in opposition going to enact as part of parliamentary reform? The document is called *Making Parliament Work — Labor's Plan for a Harder Working and More Democratic Parliament.* First of all, the Labor Party did promise more speeches

of shorter duration. However, when you look at the fine print on page 14 of this document you see what the Labor Party thought was a fair amount of time for a speech on a bill. The document says:

> Legislative Assembly standing orders allow a maximum of 30 minutes for speeches to bills … but members can usually put a case in 15 to 20 minutes.

So in 1997 the ALP was happy to acknowledge that members could usually put a case in 15 to 20 minutes, which raises the question of why now it wants to slash it to 10. Do not forget that in 1999 it was 30 minutes and came down to 20. The proposal is now to have it at 10 minutes, yet the ALP itself acknowledged in what it thought was a landmark document on the procedures and processes of Parliament and parliamentary reform that honourable members need about 15 to 20 minutes. I ask the government, although I know it will not, to consider the amendments put forward by the honourable member for Gippsland East. Again that is typical of executive government with a large majority in both houses: the arrogant 'Yes, yes, we will consider them', smirk, smirk, knowing full well that they will not. That is precisely the attitude that Jim Kennan was talking about when in 1992 he warned of the dangers associated with overwhelming majorities in both houses and the arrogance of the executive that emanates from that.

On page 15 of that document the Labor Party said:

> Labor will guarantee in the Legislative Assembly:
>
> > one-hour debates on matters of public importance each sitting day.

Where are they? This was a Labor guarantee. They did not come in the last term of government and they certainly do not come now, although I acknowledge there will probably be a chance once, or perhaps less, in every three weeks for a matter of public importance to be debated. I turn to the section entitled 'A more family-friendly Parliament'. This is what the ALP was going to offer in 1997 in its document that was, as I said, authorised by the present Treasurer and the present Leader of the Government in the other place.

The document is prefaced by the comment:

> A common complaint from MPs that the Parliament is not a family-friendly institution. Late working hours and a lack of child-care facilities put great strains on the family life of MPs and are often cited as reasons why more women do not run for Parliament.

The ALP then went on to say in its document that it wished to change the sitting hours of Parliament. Oddly enough it drew up some sessional orders on how it proposed to implement a family-friendly Parliament. It states:

> Under Labor the Parliament will be scheduled (by sessional order) to sit from 9.30 a.m. until 7.30 p.m. with provision for extension by vote of a simple majority.

That was Labor's view when it was not in government: it wished to implement something it called family friendly with closure at 7.30 p.m. I know Parliament is difficult and there is a lot of night work involved, but when it was in opposition that is what Labor said it would do. But we are seeing no change, frankly. Parliament will usually get up at 11.00 p.m., but in certain circumstances if the government wishes Parliament will continue to sit beyond that time.

I listened with interest to the vitriol of the Treasurer when he spoke prior to lunch. He spoke about the advances to sessional orders the ALP had made in the last Parliament. He talked about a question time that without doubt has expanded in terms of the number of questions that are able to be asked. He also talked about 90-second statements and took the credit for that as a member of the ALP. Obviously I must have been hallucinating around the time of the 1999 election. I actually thought there was a charter put together by Independent members of Parliament, and indeed that charter does exist. The Independents on whom the balance of power rested asked for a minimum number of sitting days per year, more questions on each sitting day and more opportunities for members of Parliament.

I thought that when the Premier responded to the Independents, as he did on 12 October 1999, he committed a Bracks Labor government to revising, changing, improving — whatever word you may want to use — the sessional standing orders of Parliament. I have to say that the honourable members for Mildura and Gippsland East can take far more credit for those changes than can the ALP.

However, the key point made by the Treasurer was that he maintains that these sessional orders are an advance on this progress made with or without the help, force or pressure of the Independents — however you want it. But they are not an advance; they are a step back. They are a massive curtailing of speaking rights in this Parliament, and it will be even worse in the other place.

It is interesting to contemplate how well the ALP, when in opposition, used the Legislative Council. That is particularly true of the Honourable David White in his pursuit of former Premier Kennett and the Honourable Theo Theophanous, now a minister in this government, who I recall keeping the Parliament up all night debating Workcover changes.

I also recall the Labor Party using, as it should, the forum of Parliament through having the Legislative Council sit all night to debate changes the Liberal Party wished to make to industrial relations legislation. We never guillotined that in that entire time. I find it interesting and symptomatic of a government that is obsessed with its own power and verging on the arrogant that, having used that forum, it is going to shut it down with sessional orders similar to those this house is debating.

Members of the Labor Party used it as they should: it is a democratic institution and a forum for members of Parliament. They used it to highlight what they believed were deficiencies of the government, what they opposed about the government of the day. They have used it, and now they will shut it down — thank you! No opposition will ever be able to use the upper house again in the way the Labor Party used it, as it was entitled to, in that period of the Kennett government.

What we are seeing debated today is a massive departure from everything that the Labor Party said it would do. It is a massive departure from its 1999 policy document. It is a massive departure from the Governor's speech in 1999. It is a massive departure from its own publication *Making Parliament Work.* It is a massive departure from all the statements made by the Labor Party when in opposition, be it by the Leader of the House, the former leader Jim Kennan or any other person whose name one could pull from the old *Hansard* volumes.

The Labor Party could have done some valuable things. One of the things I throw on the table in terms of allowing speaking opportunities for members is to look at what they do in New South Wales. I completely understand that the government does not want more question times. Oppositions generally call for them, but governments do not want them.

The New South Wales Parliament schedules a sitting Friday with no question time. Members who want to speak on issues in their electorates or about bills that are of concern to them are not constrained by the 10-minute gag that is to be introduced here and are actually allowed to voice the concerns of their constituents. The government could have looked at a change like that. It is disappointing that the government simply wants to use its numbers to force through changes to sessional orders that will significantly disadvantage the democratic nature of this Parliament.

What we are seeing is a government bulldozing changes through, a government doing something which, when in opposition, it railed against for hour after hour in this chamber. This government was actually elected on a platform of openness, honesty and accountability and of restoring, if I can use that word lightly, parliamentary democracy. This government has betrayed this Parliament. It has betrayed the public, and the public has every right to be cynical.

Mr ROBINSON (Mitcham) — It is with pleasure that I join this debate on sessional orders — the first debate of the 55th Parliament of which I am very proud to be a returned member.

Ms Asher — Very relieved.

Mr ROBINSON — There is a lot of relief going around on the other side of the chamber; it is just as well they have the comfortable chairs for the long haul ahead of them.

I am rising in support of the sessional orders that have been presented to the house by the government. To date the debate has been very constructive. As someone who has served in this Parliament for five years I have been involved in a number of these debates, and I have seen the sessional orders evolve. They have come a long way out of that primeval ooze of the Kennett government, because what we operated under in the 54th Parliament was a vast improvement on the Parliament I first entered. Similarly, these sessional orders refine and enhance the first reforms the Bracks government introduced.

I acknowledge the anxiety of some honourable members opposite in their contributions about the time that will be available for them to make contributions to debate during the course of this Parliament. That is understandable. I particularly note the comments of honourable members opposite regarding parliamentary committee reports and their great enthusiasm and interest in being able to speak on those. Bearing those reforms in mind I acknowledge sessional order 17, which relates to committee reports. Before proceeding with some comments on that issue I wish to circulate an amendment to sessional order 17.

Government amendment circulated by Mr ROBINSON (Mitcham).

Mr ROBINSON — The right of honourable members, which has been newly created in the proposed sessional orders, to discuss parliamentary committee reports under sessional order 17 is very welcome and is something that has not previously been available to honourable members. However, it is necessary to distinguish those reports which are commissioned or commenced by ministerial reference and the Scrutiny of Acts and Regulations (SARC)

weekly *Alert Digest*, something that is currently tabled in Parliament very early on Tuesdays and is referred to regularly in the course of debates on bills during that sitting week.

The purpose of the amendment being circulated in my name is to give better effect to the intention of sessional order 17.

Mr Jasper interjected.

Mr ROBINSON — Well, I can speak as a former member of the Scrutiny of Acts and Regulations Committee, that esteemed body. It is a rarefied world that only a few honourable members in this chamber experience. I can acknowledge the contribution in previous years of the honourable member for Murray Valley, who gave outstanding service to that committee in earlier Parliaments. It is an excellent committee, and he understands the rarefied world of the scrutinising process that is undertaken in great detail.

I am concerned that without this amendment we may end up with debates on Wednesdays which are effectively a repetition of SARC's role and putting ourselves in a position where we may be anticipating debate. I shall outline briefly to the house the SARC process, particularly for the benefit of new honourable members. SARC is one of Parliament's committees. It operates under the Parliamentary Committees Act and sections 4D(a) and (b) give authority for the committee to report to the Parliament at the commencement of each sitting week in the form of an *Alert Digest*. That is a digest that contains a thorough analysis by members of that committee of the bills.

SARC is a bipartisan, or cross-party, committee. It meets on Monday afternoons and members involve themselves in discussions and examinations of legislation that is fairly detailed. Opinions are discussed freely across the table, and members of the committee at times get into some vigorous debate. Members examine things like the rights and liberties of Victorians. SARC's *Alert Digest* is then referred to by honourable members after its tabling in Parliament on the next day, the Tuesday, in the course of their contributions on debates on bills which are scheduled during that week. It has over many years become a valuable resource.

Without the amendment my concern is that we would end up having a debate every Wednesday, as I said, simply on the *Alert Digest*, and that would lead to some real difficulties with the Parliament's longstanding rule against anticipation of debate, given that the comments in the SARC *Alert Digest* go very much to the content of bills. I think in many cases by the time the opportunity to debate or comment on parliamentary committee reports was made available on the Wednesday we would not necessarily have got through all of the bills which are commented on in the *Alert Digest*.

The benefit of sessional order 17, speaking more generally, is that it gives some focus to the valuable work of parliamentary committees. It is appropriate that we make some time available for that work to be examined. In the time I have served in this Parliament I have been fortunate enough to be a member of the Law Reform Committee and the Scrutiny of Acts and Regulations Committee. In the former of those two I was fortunate enough to be on the subcommittee examining the reference provided to us by the then Attorney-General that dealt with self-induced intoxication. Some people might say that that is a very appropriate thing for a group of members of Parliament to be involved with! But it was a terrific reference, and with a number of other members I travelled across the country and spoke to legal experts about the pros and cons of the O'Connor defence. I will not bore the house by going into that, but it was a very interesting experience for all participants, and I am sure we were all the wiser for the experience. We could genuinely say at the end that the law in Victoria had been subjected to some necessary scrutiny and not found wanting, for a variety of reasons.

Similarly, on the Scrutiny of Acts and Regulations Committee in the last Parliament I was fortunate enough to be involved in a number of inquiries, again generated in the main by ministers. They include a review of Anzac Day laws, electronic democracy, parliamentary committees and privacy. All of those inquiries were, I found, very valuable experiences. It is exactly those sorts of references that sessional order 17 will provide opportunities for honourable members to contribute on. It is not the intention of sessional order 17 to provide half an hour on Wednesdays simply to go over the *Alert Digest* in intricate detail and put ourselves in a position that might contravene the rule of anticipation.

Broadly again, Deputy Speaker, I want to make a number of observations on other aspects of what the government is proposing. I guess all honourable members at some time in their service in this place face the question, 'What do we want to achieve as members of Parliament?'. I guess I can answer that in a simple way by saying that I think it is vitally important that honourable members who serve in this place have the opportunity to speak. If you cannot speak, it is very hard to make an impression.

There is a trade-off, because we have only a limited time each week. The trade-off is essentially this: if we have unlimited time for a lot of people, we have no time for others. I have sat on both sides of this chamber, and I well appreciate the frustration that builds up as a speaker listed down the list who is waiting for a chance finds that the lead speaker goes on and on and a debate consists really of a monologue from one side or another, with very little time allocated for others. I think that is a good trade-off and that as a general rule limiting members' time to speak is a good thing because it provides more opportunities for others.

The advent of 90-second statements in the last Parliament was a tremendous thing. They have been very readily used by members on both sides, and they have proved to be a very useful means by which members can raise all manner of issues. It is worth noting that when we had this debate in the previous Parliament in November 1999 the Liberal Party put forward a proposal that did not allow for 90-second statements. Opposition speakers at that time referred to the 90-second statements in the pejorative; they did not think they were a very substantial change.

Let me give an example of how valuable 90-second statements became in the last Parliament. I refer to the former member for Eltham, who in the course of the 54th Parliament made twenty 90-second statements. Most members might have made about that or more. But in the whole of the 54th parliament he made far fewer contributions on bills. In fact a search of *Hansard* shows that in 10 years he made only 20 contributions on bills, while in the last 3 years he made far more contributions through 90-second statements.

The point is that he is an example of a member who without 90-second statements would have had very little input into debates in this chamber. It would be a very retrograde step if we were to go back to the old style of not having 90-second statements, because I believe they proved to be of enormous value in the course of the 54th Parliament.

Equally I believe the government's proposal to restrict ministerial responses on the adjournment debate is a trade-off, or concession. I know it will hurt some ministers enormously, and their arms must have been somewhat twisted and manipulated to get them to agree, but that is part of the trade-off I referred to. Again I go back to the first time I came to this place, when the now opposition was in government and the performance of some ministers in responding to adjournment matters was not very productive — and I think I am putting that mildly. Adjournments are all about allowing members to raise issues. That should be the pre-eminent feature of an adjournment debate, not allowing ministerial responses to go on and on. So I believe the trade-off in the sessional orders that relates to ministerial responses is again a positive step and evidence of the government's intention to establish fairness in our house arrangements.

I will conclude by saying that I believe the proposed sessional orders, particularly the amendment I have put forward to sessional order 17, are positive and progressive steps that build on the achievements of the 54th Parliament and, in particular, the Bracks government's reforms of sessional orders, which were both welcome and long overdue. I am very pleased — —

Mr Doyle interjected.

Mr ROBINSON — It is obvious that the Leader of the Opposition has never been given the opportunity of serving on a Scrutiny of Acts and Regulations Committee. He would do well to spend his Monday afternoons doing so — and given the numbers that are evident, he may find himself a spot if he is lucky! It is a great committee, and he would do well to spend some time on it. These are great sessional orders, and I look forward to voting for them at a later point.

Mr JASPER (Murray Valley) — I am pleased to join the debate on sessional orders. In the 26 years I have been in the Parliament this is the first time I have been able to speak from the front table, so it is an interesting change. I can now observe members from where the clerks observe the whole Parliament.

The point I want to make right from the outset is that I have always believed the Victorian Parliament is the ultimate forum for debate. It is an important institution, and we members should be allowed to make contributions to debate on behalf of our constituents. I believe every member has the right to speak and to present those views. I have found in more recent years that it has been more difficult to get the time to make a contribution on the various matters that come before the Parliament.

Successive governments have said that the changes they were making to sessional orders would make it easier for members to make contributions. But in fact I have found that in recent years it has been more difficult to make those contributions. Some changes have been positive, there is no doubt about that — and I refer to the introduction of 90-second members statements. It has been a positive move to allow members to make contributions in Parliament on particular issues or activities within their electorates. Many members will recall that I have used that

opportunity to bring up, say, border anomalies or the Wangaratta Festival of Jazz and other activities in my electorate of Murray Valley. I make no bones about the fact that I am very parochial about the valley as far as my contributions in Parliament are concerned.

The other thing is question time. There is no doubt that throughout the late 1970s and into the 1980s we saw a deterioration in question time. I think that started from the changes made by the federal government in the 1970s, which carried on throughout Australia. Question time became a forum for a minister to provide more information than they should. In my view that information should have been presented as a ministerial statement to the Parliament so that every member could debate the particular subject, instead of the minister using question time to make the statement.

Then we saw unlimited time being provided for questions without notice and ministers of whatever political persuasion filibustering to make sure they were asked a limited number of questions. So I applauded the change which provided that 10 questions would be asked at question time, because that gave an extended opportunity for questions — and, of course, for ministers to expand on some of the answers they gave.

Considering what is just and fair in the circumstances is important when we look at this issue. As I indicated, I have seen many changes over the years I have been in Parliament, many of which have been improvements. As far as I am concerned, it is important to give members the opportunity to speak. Parliament is the ultimate forum where members can present the views of their electorates, so when there is a restriction on members speaking I find that does not gel with my views on the right to speak within Parliament. As I indicated, in more recent years I have found it more difficult to get the time to speak in debates.

The response governments would give me would usually be, 'You should support the changes to sessional orders on the basis that it will give more members the opportunity to speak'. I have a different view. I believe the Parliament does not sit long enough, so I believe we need to extend the sittings. Successive governments have said, 'We will not curtail debate in Parliament. We will make sure that everyone gets the opportunity to speak'. But in fact every Parliament that I have been a member of since entering this place in the late 1970s has done precisely the opposite.

What they have sought to do is curtail honourable members making a contribution to Parliament by the way it operates and restricting honourable members in what they are able to say. I am of the view that we need to extend the sittings of the Parliament. We should retain sitting three days a week because it suits country members.

There is talk of family-friendly hours, but as far as I am concerned when we are in Melbourne for the sitting of the Parliament on Tuesday, Wednesday and Thursday there is nothing wrong with sitting until 11 00 p.m. or 12 midnight, because we are in Melbourne for those three days. If we went back to what are called family-friendly hours and stopped at 5.30 p.m., as far as I am concerned the evening would be free.

To start at an earlier time, which has gradually occurred from the times we originally started, such as 9.30 a.m. on Wednesday and Thursday and going through on those nights to the adjournment at 11.00 p.m. and finishing at, say, 11.00 p.m. or midnight, depending on the time of the adjournment, which will be restricted under the new sessional orders, will not present a problem at all because it will allow country members time to get back to their electorates on Thursdays.

We also have the situation where the government of the day says that on Thursday we will ostensibly finish at 4 o'clock and then go on to the adjournment debate. Now second readings of bills are often given after 4 o'clock. I put to the house that as a country member of Parliament I am 3 hours from my home, so if we go to 11.00 p.m. or 12 midnight on the Thursday night do I stop in town and drive home the next morning or do I drive home late at night? What I have done in the past is drive home at night if we finish at 11.00 p.m. or 12 midnight. I have activities within my electorate that I am committed to on the Friday. City members do not often understand this because they can get home fairly easily, but country members of Parliament have specific issues and commitments in their electorates.

Again I say I strongly support the three-day sittings on Tuesdays, Wednesdays and Thursdays, but I do not support sitting on Fridays because of the commitment we have as country members. If there is a late Friday sitting you get home late Friday night, which cuts into what you normally would do on the Friday. I support extending the sitting days so that honourable members have a greater opportunity to make a contribution. Indeed, that happened in earlier years. I recall when Mr Peter Ross-Edwards was the Leader of the National Party that he would always say when we got the times for the sittings to rule out the next week or two after the last sitting day. When we got to the last week of the Parliament instead of sitting on Fridays, which was the tradition in the 1990s, which I disagreed with and which has been carried forward with the current government, but not to the same extent, it was his view

that we should be taking an extra week or two of sittings. The system we have with the sitting days is quite good, but we should extend the sitting if we need to.

In recent times the Parliament had been sitting during the Easter week. We always sat on Tuesday and Wednesday and country members then had the opportunity of driving home on the Wednesday night before Easter. But in recent years the government of the day — metropolitan based — sits on Thursday. You try driving out of Melbourne on the Thursday night of Easter and getting involved with that traffic and the problem that entails. I put that forward because I believe the government should think about that issue when looking at times.

The business program introduced by the previous government and carried forward by this government states on Tuesday that, say, six bills will be debated by 4 o'clock on Thursday. I disagree with that. While it may put pressure on honourable members to pass bills through the Parliament, we have the situation where three bills get debated by 4 o'clock on the Thursday and the other three bills go through automatically. I am a strong supporter of the two-house system we have in Victoria because at least with the upper house we have the opportunity for legislation to be reviewed and debated properly. I noted in the comments made by a minister that the changes will give more opportunity for a committee debate. We do not have committee debates now. In my early years in the Parliament we always went into committee to debate bills.

Deputy Speaker, you will recall during the time that you have been a member of this place that if you participated in a second-readings debate and talked about particular clauses in the bill you would be stopped — the Clerk will support me on this — because the second-reading debate is to make contributions on the principles of the legislation. The committee stage deals with particular clauses, but now we do not have a committee debate. If we go into committee the debate is hustled so that we do not have a proper debate in this place.

Some bills do not go to committee when they should and some bills on the Thursday are not even debated! That is a disgrace. Here we are with 88 members, and a bill does not even get debated, for goodness sake. It passes through the house. At times I have wanted to make a contribution on a particular bill and I have prepared, as many honourable members have done, to speak on that bill, but then I have found that I could not make a contribution. That is outrageous and it needs to be changed.

Although I acknowledge some of the changes to the sessional orders, I will not support these proposals we are debating now because they have many shortfalls. The worst part about it is that there has not been any discussion with the other parties. If you have discussion you can generally get a satisfactory result. The government discussed it with its own members and said, 'This is what we are going to do'. But there was no discussion with other members of this place. That is a disgrace and should be changed.

Honourable members interjecting.

Mr JASPER — You can put anyone you wish into that category. I would extend the sittings of the house to allow honourable members more time to make a contribution. I would not have a restricted program where we have a number of bills to be debated by 4.00 p.m. on Thursday. With an extended sitting you could give honourable members an opportunity to make a contribution. The adjournment debate is an excellent avenue for people to bring forward issues of concern within their electorate. I am not so concerned about reducing the time allowed for honourable members to raise matters from 5 minutes to 3 minutes because we need to be more concise and probably not all of us can raise an issue concerning their electorate in that limited time. The difficulty is in restricting the responses by ministers to 30 minutes. As indicated by earlier speakers, this could be a disaster because one or two ministers in responding could take up the whole time. What we should be doing is making sure in the sessional orders that the ministers are present in the chamber to respond to adjournment issues.

Since I have been in the Parliament every government has done the same thing. We need to have more ministers responding to the matters raised during the adjournment debate. The fact is that they listen on the intercom and if they do not like the issue raised they decide not to enter the chamber. I have often arranged with a minister to come into the chamber to answer an issue that I wanted to raise, but because I had not raised it in the manner that they thought I should they would not come into the chamber to respond to the issue. That is a disgrace. I acknowledge some ministers do respond to matters, but the problem is that others do not. I would like that issue included in the sessional orders to ensure that ministers come into the chamber to respond to matters raised by honourable members.

The Leader of the National Party made an excellent contribution in putting forward the views concerning the National Party and the limitations on the leader of the third party. You need to have unlimited time when there is a huge issue that needs to be debated. I am not

opposed to restricting times to stop filibustering. We have seen over the years honourable members on both sides of the house taking hours to speak on a particular issue when they could have been more concise. However, there is often detailed legislation that comes before Parliament that requires a major contribution.

To limit National Party members as the third lead speaker on these matters is wrong and is restrictive, particularly for bills, the budget debate and the address-in-reply. To reduce the contribution of backbench members of this place to 10 minutes is very restrictive. It is very hard to cover issues relating to legislation that affects your particular electorate in 10 minutes. While the objectives are clear and perhaps okay in general terms, the restrictions have gone too far, and I do not support the proposed sessional orders on that basis. I am sorry the honourable member for Mitcham has left the house, because I want to refer to his amendment. While his amendment — —

Mr Holding interjected.

Mr JASPER — We will deal with you as we go along too, but not necessarily today. I will be interested to see the change in the new minister and how he handles himself in the new Parliament compared to how he handled himself in the previous Parliament. I will leave it at that because he is on thin ground.

The honourable member for Mitcham put forward an amendment to sessional order 17. He is seeking to exclude from the reports that are proposed to be debated in the Parliament those reports from the Scrutiny of Acts and Regulations Committee. He was really driving at excluding bill reports that come forward from that committee, because he believes including them may provide an avenue for debate taking place prior to the debate on the bill. The Speaker and the Deputy Speaker would be able to prevent that occurring anyway on the grounds that it would be anticipating debate on legislation. He failed to recognise that the committee presents reports other than reports on bills. I hope the Minister for Manufacturing and Export and the Minister for Gaming are taking note of this. The amendment put forward by the honourable member for Mitcham needs to be reviewed. We could all accept it if only the bill reports were to be excluded, but he wants to exclude any reports that come from that committee.

The Scrutiny of Acts and Regulations Committee is an excellent committee. I was on the regulation review subcommittee for many years, and I have been on this committee as well. It is an excellent committee that does great work. I suggest the honourable member for Mitcham should review, rethink and reword his amendment to exclude just the bill reports and include other reports from that committee.

The government has always said that it will go forward with honesty, openness and accountability, and one or two honourable members have said that today. I wrote the words down, because you can easily forget them. They said it would be an open, honest and accountable government. But there has not been enough discussion on the proposed sessional orders with all the parties to try to get everybody to agree. You probably will not get everybody to agree but you can at least get a consensus that recognises the particular issues brought forward by opposition and National Party members particularly because we have specific concerns about the proposed sessional orders.

While I believe there needs to be a review and changes made to the operation of Parliament — there is no doubt in my mind that we can improve it, but members on both sides of the house need to cooperate to make sure that it works. The proposed sessional orders and regulations are going too far in restricting the rights of members to be able to present their views and the views of their constituents before the house. More time needs to be made available for bills to go through the committee stage and for members to be given the opportunity to speak and present their views.

I indicate again that the National Party opposes the proposed sessional orders. The government should, while it has the numbers to get the proposed sessional orders through the house — and they will go through under these circumstances — take account of the comments that have been made. Let us put in place sessional orders that everybody can agree with and get a consensus on the best operation of the Parliament.

Mr LANGDON (Ivanhoe) — Deputy Speaker, I know I can speak on behalf of everyone on the government side of the house in congratulating you on your appointment to high office. I do so in particular for the Minister for Gaming who was not able to congratulate you yesterday.

I was one of the people who discussed the sessional orders when a group of us met. The challenge has been how to run this Parliament effectively. When I was first elected to Parliament in 1996 the sessional orders provided that speakers could speak for half an hour on every bill, and I must admit we did exceptionally well. A change took place somewhere between 1996 and 1999 by agreement that resulted in members from all parties speaking for less and less time. That has continued until today. In the last Parliament on most

occasions speaking times for each member lasted between 5 to 10 minutes by agreement. The proposed sessional orders are basically in line with that equation — we have allowed 10 minutes at most for speaking on bills. Obviously, the address-in-reply and the budget debate are different, so we have allowed a bit longer — 15 minutes. These proposed sessional orders are in line with what has occurred since 1996.

I inform new members of this house that the reason all of us were concerned was that the *Herald Sun* particularly liked to take liberties with the fact of who spoke or did not speak. I know a lot of members wanted to speak on bills, but previously they had been cut off. Obviously if you allow 5 or 6 hours for debate — and that is a most generous time for debate on a particular bill — and the lead speakers from the opposition and National Party take 2 or 3 hours, it limits the time other members are able to speak. So we have tried to limit the time given to lead speakers.

One of the things I am in charge of as Government Whip is delivering the second-reading speeches. I know we have 11 this week, so I will use this week as an example. Of the 11 second-reading speeches 3 of them will go for approximately 20 to 24 minutes; 5 will go for about 10 minutes and 3 will go for less than 5 minutes. Clearly a second-reading speech puts forward the point of view of the lead speaker for the government. So it is not unreasonable to expect that the opposition's reply will be within those parameters. But no — for example, in reply to a 2-minute speech the opposition gets an extra 28 minutes. So it is not unreasonable to expect the opposition to speak within that half-hour time frame.

The second-reading speeches on some bills go for over an hour — I recall the second-reading speech on the Workcover bill. On such occasions the opposition will be able to match those times. Again it is taking members of the opposition into consideration; if there is a long second-reading speech with a lot of detail in it, the opposition can match the time. Using this week as an example, on all the bills listed ministers will speak for less than half an hour, the majority of them for less than 10 or 15 minutes, so the opposition will have ample time to respond. That again gives the opposition more time, and with that time allowed if you have 2 or 3 hours for debate on a bill you will get quite a few other honourable members up.

There was one thing I learnt during yesterday's condolences, something that I was not aware of. I quote from 5 December 1987, when the Honourable Vin Heffernan is reported as saying:

> One of the main adjustments he has had to make involves the art of getting used to talking to walls, otherwise known as taking part in parliamentary debate.

What truer statement was ever made? Mostly when we speak in this house the number of people present is limited, and today is no great exception. With long, filibustering debates where someone speaks for as long as 3 hours and 33 minutes — reference was made to that — the number of people listening to the conclusion of the debates would be exceptionally limited, I would imagine. I cannot recall that debate, and the honourable member for Box Hill may like to clarify it, but in such long debates the number of people actually listening and the number of people who will ever actually read the *Hansard* report of the whole debate would be very small. The government is truncating the process to make certain that more of the people who could speak will have the time in which to speak.

Members statements have been an innovation, and I take the point that the Independents were involved in such negotiations in the last Parliament. Members statements were a great success in the last Parliament. They were such a success that, from the government's point of view, it had people wanting to make members statements and it could never get enough of them in.

Members statements are a prime example of where a local member can raise local issues, such as someone passing away, some sporting event or some community event. If there is something of significance in your electorate, you can advise the house of it. From my own point of view that has been most successful. People feel very privileged to have their name or event mentioned in Parliament. Members statements are one of the outstanding successes of the last Parliament. Some members use the opportunity for other purposes. I know that at times the opposition tried to score points with them, but from an individual member's point of view they are an exceptionally valuable tool.

So there will be time to speak on the bills and on the members statements, and now there is the new process for speaking on investigative reports. I know I tabled a report from the previous parliamentary Road Safety Committee and never had a chance to speak on it. The only chance I really had was the 90-second statement, which I could have used, but this new process will give ample time to follow through with a report. From the opposition's point of view, if after six months the government does not accept the recommendations or for some other reason, members of the opposition can use that time to raise points they believe the government failed to make.

It is not one-way traffic, as some people are trying to say; it is a sensible approach. It will still allow people ample time to debate bills, ample time to make members statements and ample time to raise matters of public importance and grievances, but will allow more time for debates like those on investigative reports. I commend the new sessional orders to the house and look forward to their passing.

Mr CLARK (Box Hill) — Deputy Speaker, may I congratulate you and the Speaker on your election to office yesterday and extend to both of you every good wish as you seek to live up to the benchmark that you set for yourselves yesterday — the work of your predecessor, the Honourable Alex Andrianopoulos. He will certainly go down on the record as one of the most decent, honourable, fair-minded and impartial Speakers this house has had.

Given the clear pride the Speaker takes in the fact that she is the first woman elected to that office, it is perhaps befitting that I commence my remarks by referring to what has been said by one of the most illustrious women Speakers in any Parliament in the Commonwealth of Nations — namely, the Honourable Betty Boothroyd, as she then was, the first woman Speaker of the House of Commons. In her concluding remarks to the Parliament she said, and I quote:

> Let us make a start by remembering that the function of Parliament is to hold the executive to account … That is the role for which history has cast the Commons. It is the core task of members — not merely to act as representatives of their constituents, important though that certainly is. It is in Parliament in the first instance that ministers must explain and justify their policies.

Later on she made the other excellent point, that:

> … the house must be prepared to put in the hours necessary to carry out effective examination of the government's legislative program.

I commend those words to all honourable members, and I observe in passing that Betty Boothroyd is also well known for the fact that upon being elected to office she instructed honourable members in the House of Commons to call her Madam, and indeed all of them — from the Prime Minister, Tony Blair, downward — in fact addressed her as Madam Speaker.

What is most striking about the government's approach to these sessional orders is the complete hypocrisy that comes from the senior members of the government. Almost equally disturbing is what I think can be characterised as the sincere naivety of some of the other government speakers on this motion, because these sessional orders in fact undermine, in particular, the ability of Parliament to hold government to account. I must say they do not do all that much for the representative role of Parliament, either. Certainly the 90-second statements provide an opportunity to make a few remarks, and that can on occasion be put to good use, but when it comes to actually standing up for one's constituency, for one's electorate, and putting a solid argument on an issue that really counts, the times that are available for that are being drastically curtailed.

Other honourable members on this side of the house have previously referred to elements of the hypocrisy in the government's approach — quotes from the ALP's 1999 policy, quotes from many members of the Labor Party when they were on the opposition side of the house, and what was said in the response to the Independents charter. Those elements of hypocrisy go along with many other elements of the hypocrisy we have seen on the part of the government.

New honourable members would have enjoyed the so-called silver service that was going to be scrapped by a Labor government — the so-called silver service that cost ABC broadcaster Ranald McDonald his job because he pointed out that the silver service here was of about the same standard as that of the Collingwood Football Club social club. Garden parties were also criticised by Labor in opposition, and the appointment of parliamentary secretaries and committee chairs was castigated by the Labor Party in 1992, but the list of both has subsequently been extended prodigiously.

Let us look a bit more closely at this issue of hypocrisy. Of course the argument that comes back from the other side is, 'You lot are hypocritical too, and so we are all in it together'. Unfortunately if the public draws the conclusion that all members of Parliament are equally hypocritical, that is a most unsatisfactory outcome for this debate. The fact is that the reproaches directed at the Liberal and National parties and their respect for parliamentary democracy are baseless. The allegation that we attacked parliamentary democracy through changes to sessional orders and parliamentary procedures is simply untrue. That is how it is that we on this side can agree with those fine principles that were stated from time to time by the Honourable Jim Kennan, by the present Leader of the House and by others without being hypocritical in doing so. It is because we supported the sentiments; we just disagreed with their argument that what was being done infringed those sentiments.

I have listed something of the order of 10 changes to parliamentary proceedings that were made during the course of the previous coalition government. There is really only 1 of those 10 changes to which exception was taken even at the time, and that was the

introduction of the government business program; and upon the change of government that element was continued.

In other respects, under the coalition government sitting hours were brought forward to earlier in the day and the adjournment ceased to be at 11.00 p.m. and became 10.00 p.m. The previous debate on general business of $2^1/_2$ hours on a Thursday morning became 3 hours on a Wednesday morning. The grievance debate was on every third sitting week, not every third calendar week as it had been previously, which meant sometimes a grievance debate got dropped out. There was more time given to speak on grievances through changing the time to 15 minutes per speaker. Similarly, on the adjournment debate, a reduction was introduced from 5 minutes to 3 minutes.

Under the coalition government matters of public importance were allowed to be debated, whereas I think they were never or scarcely allowed under the previous Labor government. Question time was moved to 2.00 p.m. every parliamentary sitting day, which again is a reform that has been carried forward. A right of reply for aggrieved members of the public for what was said in Parliament was introduced. The televising of parliamentary proceedings was liberalised.

All of those positive reforms were made under the previous government. For the benefit of new members to this house, I will refer to the history behind the introduction of the government business program. Yesterday the honourable member for Preston referred to Speaker Edmunds truncating into one combined question what had previously been three questions — that a bill be committed, that it be now committed, and that the Speaker do now leave the chair. So what had previously been three questions became one, but following the election of the coalition government in 1992 Tom Roper, the manager of opposition business, took a point of order that that was not permitted by standing orders, and accordingly he insisted that each of those three questions be put separately and that they be divided on. Through the use of that artifice he was able to prevent the translation of a bill from debate in the house into committee by upwards of half to three-quarters of an hour, and I am sure honourable members on all sides of the Parliament who were there in those days will recall that.

It was in response to that procedural abuse of the forms of Parliament that the government business program was brought in. Yet that has been really the only change of the government of the day that was reproached by the then opposition and, as I said, it is a change that has subsequently been retained by the Labor Party. So these allegations of hypocrisy and abuse of parliamentary rights by the previous coalition government are completely untrue, and even if they were true I would hardly have thought it would be a sound justification on the part of government members to say, 'We are just being as contemptuous of Parliament as you were, so what we are doing is okay'.

But in fact it gets worse than that. What these sessional changes do, together with the changes being proposed in another place, is take away from opposition parties rights that have endured for generations, rights that previously endured when the Labor Party was in government, when the Labor Party was in opposition under a coalition government, on the very brief occasion previously when the Labor Party had control in the upper house, and on the other occasions when the Liberals and/or National Party have had control, whether or not the Liberal Party or National Party were in government. Particularly in the other place those rights and privileges have endured. Now when Labor has total power, instantly we see those rights being taken away.

Let me move to some of the specifics that are being proposed in the motion before us, and at the outset, Deputy Speaker, may I move some amendments to the motion before the house and ask that the amendments which have been reduced to print be circulated.

Opposition amendments circulated by Mr CLARK (Box Hill).

Mr CLARK — The proposed amendments have several objectives. The first is to allow the debate that is to take place following a matter of public importance on a Wednesday morning to be a debate of any annual report or report of the Auditor-General and not simply a debate of a report of a parliamentary committee.

The second objective is to provide that the call on 90-second statements alternate between government and non-government members, as has been the practice in this house, and indeed the practice in the commonwealth Parliament where the 90-second statements originated.

The third objective, in the spirit of trying to achieve some intermediate point between the views of the government and opposition on these matters, is to propose that the lead speaker for the opposition responding on government bills other than appropriation bills be set at 60 minutes rather than 30 minutes and that the time allowed for other speakers be set at 15 minutes rather than 10 minutes.

These are the proposals that the opposition puts forward and the reasons underlying them will largely be evident from what has been said in debate or what I have just referred to.

The changes that the government is seeking to make cover a range of aspects. Some of them are relatively small, but insidious. They are the clearest demonstration one could seek of the lack of good faith of the proponents of these sessional orders on the government side. I refer to the fact that in just about every context where an overall time period for debate is set, the time is now counted in terms of the lesser of a set number of speakers, or the set time, rather than simply the set time itself.

That, of course, goes completely contrary to some of the objectives that the Leader of the House expressed in advocating these amendments. He urged members to work out how to share time amongst each other, and he called for greater certainty in the flow of parliamentary debates. Of course there is no opportunity to share if the debate is truncated at a set number of speakers regardless of the length of time for which they speak, and the certainty of timing is also reduced if debate is shortened when speakers do not speak for their full time. The clear objective of that particular amendment is to exclude the possibility of opposition members speaking for shorter periods so that the call will come back to the non-government side of the house at the end of the debate.

It has been remarked previously that there has been no change to the provisions for the government's so-called family-friendly hours. The provisions in these sessional orders now are exactly the same as the sessional orders in the previous Parliament.

Similarly the provision of 30 minutes for ministers to respond on the adjournment debate is a nonsense and open to the abuse that has previously been referred to. If there was any sincerity in trying to abridge ministers' remarks in response to the adjournment, the logic would be to limit each ministerial response to each of the 10 contributions to the adjournment debate to 3 minutes each, so each minister on each adjournment contribution would have 3 minutes to respond.

Those anomalies and incongruities, small as they may be in the scheme of things, are evident demonstration either of the lack of care or, more likely, the malevolent intent of the government in framing large parts of sessional orders.

Let us come to the core change that the government makes — that is, the truncation of speaking times in debate. Again that is replete with illogic. Why is it if you accept all the arguments put forward on the other side of the house about getting on with the debate and speaking succinctly that there is unlimited time available for the mover of a government bill? If it is good enough for everybody else to be succinct, why is it not good enough for ministers of the Crown to be succinct? Why is it that the rights of the opposition in terms of the length of time of their lead speaker to respond on a bill are exactly limited to the length of time taken by the government minister in moving the second-reading speech? There is no necessary exact match between those two. Some bills will be short in introduction and long in response. Others will be the reverse of that.

The Government Whip and others made much of the argument that during the previous Parliament most of the time there was agreement between the parties to have the length of contributions to debate within the maximum allotted time. That was therefore used as a justification for truncating maximum speaking times. There is an illogical confusion of average and exceptional circumstances. Certainly in the vast majority of cases contributions can and have been made succinctly, and that has been effective; but it is the exceptional case that in a sense proves the need for a greater opportunity to contribute to debate.

Constitutional reform is perhaps one evident example of that. Reference has been made to my contribution to the debate on the Workcover legislation, the length of which has been remarked on previously. That bill made radical and controversial changes of great complexity to the Workcover scheme, and a detailed cataloguing of the facts about that debate needed to be placed on the record. How has the government responded to that fact? It has responded not by addressing the issue but simply by invective and name calling, abusing speakers who have spoken for longer than the standard time.

It may well be that following my contribution others may make further attacks on me on that score, but if members are going to stand up and argue that particular speeches have been verbose or repetitive, let them not just make that assertion but quote evidence to prove it. Looking at the vast majority of speeches of considerable length made in this house, and certainly the ones I made in the previous Parliament, I would challenge any honourable member to illustrate how they have been unnecessarily verbose or repetitive.

So where do we stand? The fundamental question is what the purpose and structure of debate in this Parliament should be. It is interesting that from the side of politics that has made great play about consultation,

involving community groups and listening to and reflecting all shades of opinion comes the view that all that can be distilled into a half-hour, 20-minute or 10-minute contribution.

It is perhaps understandable that radio commentators such as Jon Faine from 774 ABC Melbourne might say that if you cannot get your point across in half an hour, why are you bothering? I would not think even Jon Faine believes that in his heart of hearts. His technique is effective for talkback radio and print journalism, where big-picture and complex issues have to be compressed, but heaven help a society if that is the sole level of debate that takes place on the major decisions that that society faces. I know that even Jon Faine is aware of the existence of books, because his program contains a conversation hour that often features authors. He knows that the purpose of a book is to set out arguments in much more complexity, as is the purpose of articles in magazines and journals.

Some might say that that is not the purpose of Parliament, which supposedly is just to have a few succinct summings up. I would question even that proposition. Honourable members are supposed to put in the time, effort and hard work and have the diligence to study the issues in detail, grasp the complexities of the issues and perform on behalf of their constituents the job which those constituents do not have the time to do themselves and which they entrust to us to do properly on their behalf. If we are not given the time to come into this chamber and articulate those points, then we are being throttled in our ability to do our duty as members of Parliament.

Some have asked, 'Who cares about the complex issues that are debated in bills?'. I can assure honourable members that although *Hansard* is not widely read, it is read by those who have passionate interests in the legislation concerned, be it Workcover, marine parks, law reform or any other issue. Similarly government members would be aware that courts and the legal profession often have recourse to the reports of parliamentary debates to ascertain the somewhat obscure intentions that are often expressed in legislation. The honourable member for Murray Valley rightly lamented the reduction in opportunities for debates on the committee stage of bills which has taken place over recent years, which has already limited that capacity.

One other way in which I can illustrate the inconsistency of the government's position is by reference to the fact that the sessional orders provide for an unlimited opportunity for the opposition's lead speaker in responding on the appropriation bills. You may well ask why that is so, and I hope my drawing attention to this fact does not impel a government member to seek to amend it.

I would surmise that the reason is that the government felt itself incapable of standing up in the public arena and defending the proposition that its budget for the year should only be subject to 1 hour's scrutiny by the opposition's lead speaker. It knew it could not win that debate, so it decided it would allow an unlimited response to the budget. But given that, how is it that the government can say that in debate on issues such as constitutional reform the lead speaker should be limited to 1 hour? Is that a less important or complex subject than the budget? The marine parks bill has previously been referred to. That was a massively complex and important piece of legislation.

An honourable member interjected.

Mr CLARK — The honourable member refers to the box ironbark national park, and there are numerous other pieces of legislation of similar complexity. That point alone shows the inconsistency of what the government is saying.

Even if you accept the argument that this house should be one in which debate flows a lot more freely and quickly and members have more opportunities to contribute, what is being done to allow for other input and debate that might make that work better?

If this Parliament is going to be the peak debate or summation of a whole lot of other debates of greater complexity, where is the forum for that? Where are the provisions, for example, for all bills to be referred to a committee that has public hearings and receives public submissions? Where is the talk about having a second chamber such as the commonwealth Parliament has where bills can be referred out for detailed study, debate or committee examination? Where are the provisions for as-of-right incorporation of charts and other technical or explanatory documents into *Hansard* or even, in these days of the Internet, webpages and hyperlinks, the opportunity to incorporate in *Hansard* links to sites that bear out an honourable members' arguments?

Where are the rights for intervention in the course of debate such as the UK Parliament has? Our rule is that interjections are disorderly. In the UK Parliament — as I expect you, Deputy Speaker, and some other honourable members will know — a member as of right can ask the person on their feet to allow intervention to make a point in debate. Where is all of that? That is the sort of thing you would look for if this

government were serious about ensuring a quick flow of debate.

Where is the enforcement of the rules against tedious repetition of a member's own or another's arguments? We saw in the previous Parliament government speakers' notes being passed from backbencher to backbencher, with each giving a virtually identical speech. Where is the stamping down on that sort of abuse? If the government were serious about its central argument, all these reforms would be being introduced as well. The fact that they are not shows that the government is making a limp attempt to justify what it is doing by saying it is giving everybody an opportunity to have a say and undermines the sincerity of what the government says.

Really what is happening here is the dumbing down of Parliament. It is a closing of the parliamentary mind and the curtailment of scrutiny. It is a set of reforms designed to suit the convenience of the government in making the backbench think it has a role. I say in particular to honourable members who are new to this house that if they are members who want to get up and say something of substance they will find quite quickly that they are chafing under the restrictions on speaking that have been set up under these sessional orders and they will be finding themselves quickly disillusioned about many aspects of their time in this place.

When we debated sessional orders at the start of the previous Parliament I referred to George Orwell's book *Animal Farm* and to the pigs, who in the middle of the night came out with a bucket of whitewash and, having started with a charter of 10 or so principles on the wall, whited them out one by one until they were left simply with the statement: 'All animals are equal, but some are more equal than others'.

Back in 1999, what the 'pigs' were whiting out was their own charter of principles that they had put up, what the Australian Labor Party had told the electorate it was going to introduce by way of beneficial reform and then failed to introduce. We were debating the adequacy of the changes that were made in 1999 and the government's living up to those goals. But what the whitewash has been brought out for now is not principles that the ALP took to the electorate, it is longstanding democratic principles which have been enshrined in practice in this house for many years and which have stood the test of oppositions of different persuasions. Now the whitewash is being applied to those longstanding principles to dumb down this Parliament, to curtail the opportunity for adequate scrutiny of government and to make Parliament very much the creature of the executive government of the day.

Mr SAVAGE (Mildura) — I congratulate you, Deputy Speaker, on your elevation to a very important role in this house, and I know you will follow the footsteps of your predecessors in a very competent and principled way. Thank you for this opportunity.

The first lesson I learnt in this place was about sessional orders, back in 1996. It was a lesson that has lasted with me to this day. I did not know anybody in the Parliament at that time and certainly did not understand sessional orders. There was a very lengthy debate on this issue, and I tried to take some interest. I still have difficulty in comprehending them today, but it was worse back in 1996. So I sought some advice from the Speaker as to what I should do. He said, 'You are an Independent; you can go'. So I took his advice and I missed a division at 1.30 a.m. The Leader of the House put out a press release suggesting that I did not have the commitment necessary to fulfil the role of a member of Parliament. I have taken that lesson to heart, and I can assure you I will not be missing any divisions on sessional orders in the year 2003.

I do not know how the Leader of the House knew I was missing, because the Premier of the day, Jeff Kennett, was also missing, and I counted about seven other honourable members who were missing.

Mr Dixon — You were with him.

Mr SAVAGE — Well, that's a good rumour. I can assure you it's not true.

I guess all oppositions want to control the house. It is natural that when you are in opposition you are eternally frustrated by the process and you want to control the business of the house. We saw that on a number of occasions in the Parliament that preceded this, the 54th. Unfortunately the reality is that the government controls the house, and no matter how frustrating it is for oppositions and Independent members, we have to live with that. Change is inevitable, and I support the principle of the current sessional orders, but I also indicate some concern with some of those areas. I think they will be enhanced greatly by the amendments proposed by the honourable member for Gippsland East.

The last Parliament showed that there could be some very fundamental changes that enhanced the operation of this house compared with the 53rd Parliament — things like the 90-second statements. If anyone wants to remember how it was, there was an example this morning where time was the important element, and

any lengthy answers cut down the number of questions. That diminished the access of members of the opposition and other honourable members to the operation and scrutiny of government.

A minimum number of questions is the most appropriate way to go. There was very limited or no opportunity in the 53rd Parliament and there was very little opportunity for private members bills in the last Parliament. There is a void in the proposed sessional orders that could be filled by the amendments proposed by the honourable member for Gippsland East.

There is welcome news in the sense that we are going to have a predictable time when the house will adjourn. I do not have to travel far each day except when I leave here on a Thursday, but many honourable members travel long distances during the week, even as far as Geelong. They go home and come back in the morning. I am sure some safety imperatives are overlooked on occasions. What is even worse, Parliament has staff who are required to be here when Parliament is sitting — often late into the night — and they are required to be back here early the next day. I believe the Parliament in some way may be liable under occupational health and safety considerations for those sorts of safety endeavours.

I welcome those changes to implement time limits that are set in concrete. If we miss out on parliamentary sitting time and we have more bills than we can deal with, certainly we should revisit the number of sitting days. It is always a dilemma for country members. We cannot go home; we are stuck here. If you have too liberal a finishing time it diminishes our opportunities to be with our families and is a restriction that is somewhat unfair. There has to be a balance and the 11.00 p.m. finish would achieve that.

In the last Parliament, since the break-up of the coalition, we saw a significant amount of time being used by lead speakers. Certainly some members were responsible, others were not so responsible. We found there were many occasions when we could not properly debate legislation other than to hear from lead speakers. We would get through the lead speakers and the legislation would be adjourned until 10 minutes before the guillotine was applied on the Thursday.

There is a conflict in that people say that we should not impose a limitation on a lead speaker. There is some element of truth in that, but you need to have a compromise. If you have no limits we end up with no time being available for any other honourable member to properly debate a bill. As the honourable member for Murray Valley said, many times you make preparations to speak but you do not get the opportunity. I have come to the conclusion that the best time to prepare for a debate is when you are sitting in a queue to make sure you have a chance of achieving your objective, because if you make long-term plans, perhaps days ahead, you will be thwarted by the realities of this place. On some occasions debate has been laboured.

As I mentioned, changes to question time are a great improvement. I support the increased speaking times that the honourable member for Gippsland East has proposed — that is, to 15 minutes. In view of the curtailment of other times, 20 minutes is appropriate. I am torn between the 10 and 15 minutes but I will err on the side of 15 because Independent members specifically do not have a lead speaker. We are limited in the same way as any other speaker, but we acknowledge we are not a government or an opposition, and we are bound by those rules. I believe 15 minutes would be more appropriate.

Speaking is certainly fundamental to democracy, but let us get focused on a bit of reality, because in this chamber we do not have a vote based on the success or failure of debate. It is a matter of who is in government and who has the numbers. At the same time it is important that we focus on what are the issues and on what are the fundamentals of a bill and give it the proper scrutiny it should be accorded. It is fundamental to democracy.

I support the element of the amendment that would allow private members bills to be debated on the rare occasions that they come up. There is no mechanism in the sessional orders proposed by the government to allow for that. These amendments result from lengthy discussion the Independents had with the previous government. We were eternally frustrated by the fact that we could not get those to the fore and could not introduce them. We believe they are a much fairer system, in the same way that everybody's amendments should be voted on at the end of the week before the guillotine is applied. The government has the advantage because its amendments go to the guillotine with or without the bill going into the committee stage. These amendments to sessional orders would allow all amendments — those moved by the government, the opposition and Independents — to be voted on, which would be a much more appropriate time.

I know there are many members in the queue who wish to contribute to the debate on sessional orders. I certainly support what has been proposed by the government as well as those amendments that would enhance sessional orders and make this a better place,

certainly with the fundamental theme of democracy in the state of Victoria.

Mr DIXON (Nepean) — I have a few comments to make on sessional orders. The rules that the house is looking at today reflect a loss of flexibility within this place. One thing you need in politics — and certainly you need it in this place — is flexibility in terms of things changing, procedures changing, times changing, with all sorts of things impinging on our time. New priorities tend to take over in our everyday program in this place.

We have to be flexible in this place. Therefore we cannot compare one piece of legislation with another, or one procedural matter with another — they are all very different. They all take varying times on different days because some things are more important than others, and other priorities come in at the last minute. Through the proposed sessional orders we will lose a lot of flexibility. We are all flexible and mature enough in this place to be able to work on a far more flexible system. The more rules you have in place, the less flexibility you have. When you have less flexibility, the place does not work as well as it should.

The new sessional orders are rules, and their introduction is basically reacting to exceptions rather than to the norm or the normal practices in this place. Sure, people have wasted time and filibustered in this place. They have stopped many of us from making some wonderful contributions to bills that may have been important to us or our constituencies. Some of our best speeches are in the bottom drawers of our desks. Yes, the place does not work well all the time, but they are the exceptions. When we start making rules to cover exceptions we will lose flexibility, and the house will not work as well as it possibly should. I am not a believer in having a million rules in a place, because in the end it counts against good government and good governance.

Over the last week or so, leading to a number of announcements the government has made especially about the sessional orders, we have heard a lot about hypocrisy. Fair enough, a few people have made comments about the former Kennett government and what members of it said. Reference was even made to what was said and done in the 1992–96 Parliament. We have to cop that, but this government made it very plain when it was in opposition from 1992 to 1999 that anything done in this place that it did not like and thought was lacking in principle, it would rally against it incredibly. It was beaten up and everybody knew about it.

In some ways in its 1999 campaign and again in 2002 the government quite successfully ran for office on a lot of principles it adhered to and on some principles it did not like about the former Kennett government. It makes the situation even worse in that not only did the then opposition rally against them, but the standard was set with its 1999 sessional orders which took some of the 1996–99 sessional orders a step further. Now we are taking another step further.

It is one thing to have hypocrisy and say 'Yes, in opposition we say things and when in government we change our minds on those things', but to take things another two steps is a double step in hypocrisy. That is the thing that really irks me and, I think, a lot of people out there. I think it also irks some of the members of the media who have seen it. I say again that it is not just about hypocrisy, about something that was said in opposition and has now changed. It has been built on over two more sessions, and I think that is far worse than hypocrisy. I have counted 10 reductions in the time allowed in this place for honourable members to speak — reductions either in opportunity or in time. That is just from having a quick look through the sessional orders today.

First of all, grievance debates are a very important part of this place. The time allowed for them has been reduced from $2^1/_2$ hours to 2 hours. The time for debates on matters of public importance (MPIs) has been reduced from $2^1/_2$ to 2 hours. That is the second reduction in time in this place; a bit of a pattern is emerging here. One aspect of the MPIs that I could not believe and had to read a few times is that the government may at any stage stop, guillotine and cease an MPI. I bet it will not happen when it is a government matter of public importance; I am sure it is going to be wheeled out when opposition members are speaking on their matters of public importance. Given the limited time we have — in effect half an hour less every three weeks — any further curtailment because the government was decidedly uncomfortable about what was being raised would be a dreadful situation and a real gag on this place.

The adjournment debate is by and large a great opportunity for honourable members to raise matters with special regard to their own electorates. As part of the flexibility I was talking about we often had a circumstance where we fitted in an honourable member who had a pressing matter that came up, even though the speaking list had already been worked out. We wanted to fit that honourable member in because it was very important to them — it might have just come up that day, perhaps — so we would all take our contributions down from 3 minutes to $2^1/_2$ minutes. I am

sure we will all fill in our 3 minutes, but again the flexibility that we had in those circumstances is now gone. That is the third reduction.

The fourth reduction is in the number of opportunities to make a statement. Even though the time for 90-second members statements is being doubled, we on this side of this place will lose the proportional number of opportunities we had. I have just done some maths, and even though the time is doubled we will still only have, according to my calculations, 5 matters out of the 20 that can be raised. We had 5 under the old system; so again that is a net loss in our ability to express our thoughts in this place.

The fifth reduction is in the appropriation debate. Our opportunities to speak will be reduced by 5 minutes. You might only save 5 minutes, but the debate on an appropriation bill is one of only a few occasions when honourable members get an opportunity to talk about a lot of things relevant to their electorates, especially in relation to the various aspects of the budget and even various ministries. Again, a 25 per cent reduction in that is not good enough.

The sixth reduction I came across is in the address-in-reply debate. Again it is only a 5-minute reduction, but it is a 25 per cent reduction in speaking time for one of only two real opportunities an honourable member has to say a lot of things about not only the wash-up of the election in their local area but also the government's agenda and their own agenda for the next four years. Again, a very important opportunity for honourable members has been reduced.

The seventh reduction I came across is the opportunity to speak on bills. Most honourable members do not speak for more than 10 minutes anyway, and that is fine. But again we are talking about flexibility. There are some bills that require a great deal of input because they are technical or might be very important to an honourable member or their constituency. We as members will lose an opportunity in some cases — not all cases — to say what we need to say and what we think.

One of the most cynical parts of this exercise is that because the government thought we would not be really pleased with that, we have been told that if the second-reading speech goes for more than 30 minutes our lead speaker, the opposition's lead speaker, can go that amount of time over 30 minutes. In my cynical mindset there will not be many ministers not saying to their departments and staff, 'Make sure my second-reading speech does not go for more than 30 minutes'. They will be at great pains to have their speeches last less than 30 minutes! Therefore the lead speaker from the opposition will not have that opportunity to speak for more than 30 minutes. Some ministers can speak quite quickly and can squeeze a lot into 30 minutes. I do not see many going for more than 30 minutes, and I think that is quite a cynical exercise.

The ninth reduction is the change to 5 minutes for contributions on bills in committee. The tenth reduction is taking 5 minutes from the 30 minutes we had been allocated to speak on any procedural motions in this place. Those 10 cover a wide range of opportunities in this place to speak, and they add up to quite a few minutes lost.

Parts of the sessional orders are okay, but as I said — and I go to my beginning point — we will lose a lot of flexibility in this place because of these rules. And that is what they do: they are designed to eliminate flexibility. This place is all about being flexible, and I think it is a great pity that we will lose it.

I support the amendments circulated by the honourable members for Gippsland East and Box Hill. I think they bring some sort of sanity, even-handedness and flexibility to these proposed sessional orders.

Mr STENSHOLT (Burwood) — I am delighted to speak in support of the proposed new sessional orders. I am very proud of the record of the Bracks Labor government in restoring democracy to Victoria — which is of course in great contrast to the last Liberal government, which compromised democratic traditions in so many ways in our state of Victoria. I would like to comment on several aspects of the proposed sessional orders.

One of the aspects is the increased emphasis on reasonable working hours. This in particular relates to the change to the adjournment debate, which is meant to start at 10.00 p.m. and run for up to an hour. This is a clear step to avoid many all-night sittings or even later night sittings, and this is to be commended. We do not want the spectacle we had in the last Parliament when the house was sitting all night and one honourable member came down in his pyjamas to make the point that reasonable hours are meant to be reasonable and not unreasonable.

An Honourable Member — He is no longer with us.

Mr STENSHOLT — He is no longer with us, that is true; but this also needs to be seen alongside the other changes made in respect of the times allocated for debating bills. Far too often during the last Parliament we heard longwinded speeches from honourable

members — for example, the honourable member for Doncaster is often referred to — and this played havoc with debating times available to other honourable members. I can clearly remember occasions when such long speeches meant that the list of speakers was cut short to only one or two, not just on the side of the government but on both sides, apart from the lead speakers. I know that many honourable members put a great deal of effort into preparing their speeches. There has been a saying that the best ones are the ones that have not been given because they have been prepared and have had to be put in the drawer — —

The SPEAKER — Order! The level of audible conversation is too high. I ask members to take their seats and allow the honourable member for Burwood to be heard.

Mr STENSHOLT — As I was saying, many honourable members prepared speeches but were unable to give them because the longwinded efforts by lead speakers meant that the times available were just cut short. Of course the new arrangements will certainly ensure that as many honourable members as reasonably possible will be able to speak. I guess this is the essence of democracy in giving as many people as possible a say.

I certainly regard it as a privilege to speak in this house on bills. This is what we were elected to do. I am quite proud of my record of having spoken on 84 bills in the last Parliament, but there were many occasions when honourable members were denied the opportunity. We often had to compromise and negotiate with each other. I know I did with the honourable member for Bulleen and the honourable member for Sandringham, saying that we would speak for 3 minutes here or cut a little bit off there to ensure that everyone got a say.

The proposed sessional orders will ensure that more honourable members will speak on bills. I know that some members opposite — for example, the Leader of the Opposition — argue the need for unlimited time. My experience would lead me to argue the opposite. I refer to Jon Faine on the radio, who said that in a debate you should be able to get your point across in half an hour. This is very much commonsense. It is more democratic, as I have said, and more honourable members, not less, will be able to speak, and I can only commend that.

The other issue I would like to comment on is that of 90-second statements, a very valuable part of the sessional orders we had in the last Parliament. It has obviously proved to be very successful because we are now proposing to double the time, which will double the number of 90-second statements that can be made each day.

I am very disappointed that the honourable member for Box Hill has circulated an amendment proposing that the time allocated to members should alternate between government and non-government members rather than the government proposal that time be allocated between members according to party and individual representation in the house. These are statements by members. It gives honourable members the opportunity to speak about concerns to them and their electorates, and all honourable members should have an opportunity on an equal and fair basis to make a statement. An artificial division in terms of alternating between government and non-government members rather than a fairer one between party and individual representation is not fully democratic, and so I do not support that proposed amendment.

The 90-second statements are very valuable to all honourable members. I know I used them in the last Parliament. I think I spoke on 35 of them, talking about schools, preschools, neighbourhood houses, local art shows and senior citizens. It is an opportunity to talk about many things in our electorate. It is very valuable, and this proposal to extend it and in fact double the time available and the number of statements is an excellent one.

In summary, the proposed sessional orders will give a better structure for the running of the house and the debates and more opportunities for honourable members to speak and make Parliament more accessible and more accountable to all electorates and everybody in Victoria.

Mr THOMPSON (Sandringham) —

The opposition wishes to have a detailed discussion on the sessional orders. It chooses to do so at the beginning of the parliamentary session because of the importance it places on the procedures and forms of this house. Nothing can be more central or crucial to those procedures and forms than the sessional orders that honourable members will be discussing.

It is the opposition's view that the forms of the house as they are proposed inhibit the mechanisms of Parliament and the ability of the opposition to contribute to debate. They leave little room for Parliament to discuss matters of crucial importance to the state of Victoria, matters that are given only a moment's consideration.

If the government chooses not to agree with the position of the opposition and continues with its high-handed approach to parliamentary democracy, with its attempts to curtail the opposition and to curtail individual members, then it is an issue we will return to time and again. These ideals are not radical; they have been around for a long period. They are at the very heart of Westminster democracy. We wish to have a

> robust Parliament, one that cherishes democracy and enables debate, one where Parliament is accountable and responsible, not one that is a rubber stamp.
>
> We have seen the attitude which allows minority points of view to be trampled on. We have seen elsewhere that if the executive arm of government takes control of the parliamentary process it inevitably leads to problems. Issues of structural imbalance and structural corruption occur and then there is a breakdown in accountability. It happened in Queensland where the executive arm of government was all powerful and there was a breakdown in the relationship between the executive arm and the Parliament. That was the subject of extensive comment in the Fitzgerald royal commission. Mr Fitzgerald found that the executive arm of government treated Parliament with absolute contempt, which contributed to the breakdown of general public accountability. We as an opposition are concerned that that does not happen. It is important for that reason that we have this debate about sessional orders because we wish to ensure that in the next four years this government, through robust debate in Parliament, is held accountable. I refer to the following statement:
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> We simply want some sense of democracy under this government. The people of Victoria want to hold the government accountable. Members of the government are frightened of being held accountable; they do not want to be held accountable or made responsible.

Thus spoke the current Leader of the House in 1996. A number of years ago a TV show called *Tell the Truth* was compered by Mike Williamson, a sports commentator. At the end of that show he asked the question in the following terms, and I will adapt it to the house today: will the real Peter Batchelor please stand up? Is the Leader of the House the Peter Batchelor who spoke in 1996 when he advocated for a robust role for the opposition, or is it the Peter Batchelor who spoke in the house earlier today?

A number of comments were made earlier, and I would like to state that one of the most serious reforms proposed in the house today relates to other government bills, where opportunities for the lead speaker to respond on behalf of the opposition to a second-reading speech will be limited to half an hour maximum. In the last 10 years or so in this place many detailed bills have needed to be debated. In the last session in relation to marine parks and box ironbark, two bills with which I was associated, there were extensive issues which affected communities throughout the state. In the case of marine parks the issues extended from Cape Howe in the east to the Glenelg River in the west, and township after township was affected by that particular legislation.

The opposition had a legitimate role and interest to speak on behalf of all stakeholders in the debate, whether they be recreational fisheries, commercial fisheries, environmental groups or local townships affected by the legislation. Mark my words, it would not be possible under the proposed sessional orders for each and every one of those communities to have their voice heard and articulated in the chamber, which would stifle debate.

The same could be said for the box-ironbark legislation, which also traversed a broad range of areas with myriad stakeholder groups from recreational bush user groups to environmental interests to specialist advocacy organisations and through to country townships. Again serious issues needed to be canvassed. There were views to be expressed by communities that have more recently been affected by bushfires. People had strong and serious concerns, and it was important that the opposition had the chance to advocate on behalf of those communities, different groups and organisations.

In this house a week or so ago there was a visitor to the Parliament from another arena. He was amused that there would be a demonstration in the city. It intrigued him so much that he wanted to go and watch and see what happens in a community which allows demonstrations. Last century for over 80 years or so there were some areas where those who expressed dissident voices were sent to Siberia or rolled over by tanks in Tiananmen Square. In the case of the Victorian Parliament the subtlety is that strategic opportunities for the opposition to contribute are limited.

The Minister for Planning is in the chamber. The comment was made earlier in the house about the importance of openness in government and governments being accountable. Only today I received a response to a freedom of information request that I made 12 months ago. The letter arrived by facsimile. The chamber might be interested to know what the judge had to say about the letter. Judge Bowman, the vice-president of the Victorian Civil and Administrative Tribunal (VCAT), administration division, stated in relation to a letter I had sought under freedom of information:

> It seems to me that this is the very type of situation where the public interest requires, in the sense of necessitates or demands, that access to the document should be granted.

The government held onto this document for 12 months!

The SPEAKER — Order! I remind the honourable member that the chamber is debating sessional orders not access to documents through the freedom of information legislation.

Mr THOMPSON — It was in relation to the openness of government. I am happy to have the VCAT

decision tabled if honourable members would like to have a look at it.

These are important and serious issues for all forms of government. To summarise again: I see the most striking abuse under the proposed sessional orders being the limitation on the right of the lead opposition speaker to articulate concerns on behalf of key constituencies in Victoria to half an hour. If one looks at comparable benchmarks it might be noted that this time frame is the most limited time frame of any Westminster jurisdiction in Australia. I would prefer the Leader of the House to go back to his 1996 speech and come in later today and enunciate those principles 'to enable there to be a strong and robust opposition'.

I would like to comment briefly on a couple of further matters of concern in relation to the sessional orders. I refer to the adjournment debate, where there is a limitation on the maximum number of speakers. Sometimes there have been great opportunities for members of the opposition to raise matters on behalf of their constituencies which have been important to their constituencies to raise in the house, and the curtailment to a maximum of 10 speakers will again limit the rights of members of this chamber.

Ministerial responses are to be limited to no more than half an hour. It is possible to see a case where pressing matters are required to be responded to on behalf of schools or local communities affected by law enforcement or public transport matters where there will not be the opportunity for the minister in the house at the time to adequately respond to those matters. All members of Parliament would agree that if the matter was raised during the adjournment debate there is nothing better than to send to a constituent the matter raised in the house and the reply by the minister in the chamber on the same day as the issue was raised. That is an effective form of local representation on behalf of local communities.

Members statements do not reflect the pattern and the parity that exists in the commonwealth Parliament vis-a-vis the move from government to opposition in sequential order. This will limit the opportunities for members of the opposition as part of the Westminster system to speak on matters they seek to raise.

Speaker, they are the matters that I wish to draw in particular to the attention of the house. To summarise once more: I have the most serious concerns in relation to the limitation of the rights of the lead speaker to advocate on behalf of communities in Victoria the concerns of the opposition regarding prospective government legislation and the limitation of the rights of the members of this chamber to raise matters during the adjournment debate to the same degree that has been possible in the past.

Ms BARKER (Oakleigh) — I am very pleased to make a small contribution on these sessional orders and, of course, to indicate my support for them. In commencing the debate today the Leader of the House indicated that the sessional orders will facilitate the order and efficiency of the chamber. They will certainly do that. They are very sensible orders that will contribute greatly to the running of the chamber. Most importantly, they will enable greater opportunity for participation by more members in the debate on bills.

Many opposition speakers have indicated that they believe the sessional orders will limit debate. On the contrary, the sessional orders will provide more opportunities for more honourable members, which will extend the debate required in this chamber.

In my experience of the previous Parliament most honourable members spoke for only 10 minutes on any one bill. If you cannot cover the points you wish to raise in 10 minutes, you are not dealing with the bill efficiently. Having also spent some time in the previous Parliament in the chair, I indicate to honourable members that I listened carefully to all the contributions made during that time, and I guarantee and assure the Victorian public that many honourable members — I am sure the honourable member for Benambra would agree with me, as he has spent time in the chair — did not use their time wisely or succinctly and could have made their contributions to the debate in a more efficient and effective way.

I notice that the Leader of the Opposition is in the chamber, and I raise a matter in response to some comments he made. He said at one stage during his contribution that the Parliament may as well not sit. Of course I totally disagree with that; we will sit, and the sessional orders will ensure that not only will we sit but more honourable members will have far more opportunity to participate in the important debates that will take place.

The Leader of the Opposition also indicated that the sessional orders are designed to give honourable members on this side of the chamber something to do. His throwaway line was 'Feed the chooks'. I will not comment on his derogatory statement other than to say it is totally inappropriate. I assure the Leader of the Opposition — —

Mr Doyle interjected.

Ms BARKER — I find the remarks of the Leader of the Opposition offensive, and I ask him to withdraw.

The SPEAKER — Order! The honourable member for Oakleigh has found the remarks of the Leader of the Opposition offensive, and I ask him to withdraw.

Mr Doyle — I withdraw.

Ms BARKER — I assure the Leader of the Opposition that members on this side of the chamber are always busy. We always have plenty to do, not only when Parliament is sitting but also in our electorates. Out in the electorates members of Parliament on this side will continue the active, efficient and inclusive work they have undertaken as members of Parliament and in their efforts to get elected to this chamber.

I can assure the Leader of the Opposition that members on this side of the house are always very busy, not only when the Parliament sits but also out in the electorate. I can also indicate that under the proposed sessional orders once the many new members of the Parliament on this side of the chamber complete their inaugural speeches they will have an opportunity to participate in debates on bills. Many members have referred to the 90-second statements, which were a wonderful initiative in the previous Parliament, and I endorse the recommendation that the total time for 90-second statements be extended from 15 minutes to 30 minutes.

As members will be aware the scope for debate on bills is often fairly confined. One matter that has not been raised is the fact that the opportunity for members to recognise their particular electorates within that confined scope is not necessarily available. I applaud the extension of time for 90-second statements, because they are an important part of the parliamentary process. I do not think I would have had an opportunity to recognise the outstanding contribution of certain people or organisations in my electorate if it had not been for the opportunity to make 90-second statements — I will refer to a couple of examples.

One involves the late Father Nicholas Moutafis. On his passing I was able to record in this Parliament his significant achievements. At the time of his passing — it was appropriate that the statement be made at that time — no debate before this Parliament could have given me the opportunity to appropriately recognise his work. Another example is the Oakleigh Amateur Football Club and the hundreds of volunteers who give countless hours of their time to their community. The opportunity to recognise them in the Parliament by way of a 90-second statement was very important.

I also note and applaud the amendment to the sessional orders which will allow debates on the reports of the all-party committees of the current Parliament. I was a member of the Public Accounts and Estimates Committee in the last Parliament, along with you, Speaker. I was also given the opportunity of chairing an inquiry into the Department of Human Services service agreements. I would have greatly welcomed an opportunity to speak on that extensive report, which was widely consulted on and contributed to by many people and organisations in the Victorian community.

It would have been wonderful to have had the opportunity to say more about that report, of which I was very proud, rather than just coming before the chamber and reading a statement that indicated that it would be tabled. If the proposed sessional orders had been in place at that time there would have been an opportunity to speak further on that report when the government tabled its response to the many recommendations. The amendment to the sessional orders to allow debates on the reports of all-party parliamentary committees will be welcomed by many members. Members on both sides of the chamber who sit on all-party committees work very hard and put in a lot of hours, and many of the reports should be acknowledged in the chamber.

I support the proposed sessional orders. One thing I do believe is that a certain amount of discipline is required when preparing to speak on a bill. As I said, the scope for debate on a bill is often confined, so if you can apply a certain amount of discipline to the way in which you prepare to speak on a bill, your comments can be made in a succinct and accurate manner. The amendments to the sessional orders will ensure that accuracy and succinctness. I welcome the opportunity for many more members to participate in debates. I commend the proposed sessional orders to the house.

Mr MAUGHAN (Rodney) — Firstly, I take this opportunity, Speaker, to congratulate you on your appointment to that very high office and to record my appreciation of the excellent job done by your predecessor, the Honourable Alex Andrianopoulos, who chaired this Parliament with a great deal of impartiality and won the respect of all sides.

The proposed sessional orders will make widespread changes. While the National Party will be opposing them as a package, I would be the first to acknowledge that there are some good things in them. We have over time made some changes for the better. The honourable member for Oakleigh talked about one of those changes, which I certainly approve of — that is,

providing the opportunity to debate all-party reports in this Parliament.

The all-party committees are one of the best aspects of this Parliament, because they do some fabulous work. I agreed with the honourable member for Oakleigh when she said that we do not have an adequate opportunity to discuss that work in the forum of the Parliament. The change is certainly a step in the right direction. In time that amendment could be added to by providing an opportunity for members to debate the other myriad reports that are presented to this Parliament. Having said that, as I go on I will mention another couple of points about the proposed sessional orders that I think are good and favourable, but I will also point out some of the objections that we have.

The Leader of the House said that the amendments will provide for significant changes to the operation of the Parliament. That being the case, it is surprising that members of the opposition parties were not given a greater opportunity to have a look at the proposed amendments before being required to debate them. Although we were denied the opportunity to look at those proposals until Tuesday, I thank the Leader of the House for giving them to us in advance. Maybe there was a quid pro quo, given that they could only be debated today by the leave of this side of the house, so it was fair and reasonable that we were given the opportunity to have a look at them.

But I note that the press obviously had the full detail of that sometime last week, because from John Ferguson's article in Saturday's *Herald Sun*, he clearly had access to all the details of that document. It strikes me as rather odd that this government, which is so honest, open, accountable and transparent, is able to give a copy of the document to the press so that it can issue an article — not a very favourable article for the government, I might say. Nonetheless, it reveals very clearly that John Ferguson, at least, knew the detail of those changes before members of the opposition parties had access to that document. It really did not do the government much good, because John Ferguson says here, and just to prove the point:

> A closer examination of the draft sessional orders shows that Labor's curbs on debate are, in fact, far wider than it wanted to let on at the start of this week.

So clearly he knew what was in the document that we did not have access to until Tuesday afternoon. He talks about hypocrisy and a whole range of other things, but I will not go into the detail; that has already been quoted.

So much for honest, open and accountable government. The government talks about consultation, but it could have at least consulted with the opposition parties on the detail of what it was proposing. As I say, some of these reforms are good reforms, and many of them are not, but with some consultation and bipartisan support we would have had greater support for the reforms coming before the house than we currently have.

I am all for formalising and doing anything that will improve the operations of the Parliament and giving members of this place greater opportunities to speak and express views on behalf of the people who have elected them. It is a great privilege to be a member of this Parliament, it is a great privilege to live in a parliamentary democracy and be able to resolve our differences, generally speaking, by debate and through a Parliament, and it is a great privilege for each and every one of us to be here representing our constituents. So anything we can do to facilitate a free and open debate I certainly support.

I will go through what I think are some of the positive things that are in these reforms. Question time occurring concurrently in this house and the upper house is a move in the right direction, and I applaud that. I also think having debate on reports, which I have already referred to, is a sensible thing to do. I think the minimum of 10 questions being dealt with at question time — which we had in the last Parliament and which I acknowledge the Bracks government introduced — has been a move for the better, and I acknowledge that.

While on the surface the limit of 30 minutes for ministers' responses on the adjournment debate appears to be a very good reform, if one minister gets up and waffles on on behalf of all the other ministers or simply on behalf of himself or herself, it will not necessarily mean that honourable members will get an answer to their questions. So it is now incumbent on the government to make sure that that reform means what it says — namely, that the response time for ministers is only 30 minutes and that honourable members do get a response to the issues that they raise on the adjournment debate.

I think all too often — certainly with this government, and the previous government was not without its fault in that area either — ministers did not worry about coming in to respond to the important matters that honourable members raised. I think the Premier and the senior members of the government can give a lead by ensuring that ministers do come into the house and do respond to those items that have been raised on behalf of constituents which, as far as they are concerned, are very important. If you put them all together I think these changes will significantly reduce the opportunities

to properly debate important matters in the Parliament of Victoria.

Now I acknowledge — and I see the honourable member for Melton shaking his head — that it does provide a greater opportunity for more honourable members to get up and express a point of view. That is good, and I applaud that. But there is also a significant downside. As has been mentioned earlier in the debate, it is a matter of compromise — trading off one versus the other. I do not think we have the balance quite right.

I applaud the opportunity that honourable members will have to get up to speak, but I think it is denying an opportunity for the National Party, in particular, which represents country and rural Victoria, to adequately express its points of view on those very important issues like water management, natural resource management, agriculture, and a whole range of other issues. There will now not be sufficient opportunities for the leader of our party to be given the time that he really deserves in order to articulate those views on behalf of the people of country Victoria.

Our leader, the Leader of the National Party, will now have only 20 minutes to speak on a bill — irrespective of the importance of that bill. Now I acknowledge that you do not need even 20 minutes to respond as lead speaker to some bills. But there are other bills — the farm dams bill was one of those — where you simply cannot do the issue justice in 20 minutes. I think the National Party has been disadvantaged by the unlimited time being reduced to 20 minutes.

On the budget — a very important and wide-ranging issue — again the National Party has now been reduced to 1 hour. Generally speaking, you could say that an hour is sufficient, but with all the important issues in the budget — and I think the Leader of the National Party has shown, with the speeches he has given in this place, that he does not waste time and does not use time that is not necessary — to have that limit of an hour is an unnecessary restriction. Backbenchers have also been limited in their opportunities with their time reduced from 20 minutes to 15 minutes. As the honourable member for Nepean pointed out in his contribution, there are 11 areas where the time available to backbenchers has been reduced.

On the address-in-reply the National Party leader now has 1 hour; he previously had unlimited time. Now the address-in-reply to the Governor's speech is a very important debate in this house, and with the range of issues to be canvassed it is again unfortunate that National Party members time has been reduced.

I certainly welcome the initiative of members statements and I give credit where it is due. It has been, as the honourable member for Oakleigh pointed out, an opportunity that has been welcomed by members of this house to either acknowledge the contribution that people have made out there in the communities or to draw attention to important matters that the government has not been attending to. It gives opposition members time to bring to the attention of the house matters that are important in their electorate.

I think it is good that we will have more opportunity for members statements, but I do not think it is right that instead of it being government, opposition, government, opposition, it will be more on the proportion of the numbers of honourable members in the house. That is not the way that parliamentary democracy has worked; it is not the way it works in the United Kingdom and it is not the way it works in other parliaments — it is the government side and the opposition side. I think the proposal for honourable members giving statements to be proportional to the numbers in the house certainly gives the government on this occasion an unfair advantage and disadvantages the opposition parties and the Independents.

The adjournment debate is a very important part of the work of this Parliament. I think the move from 5 minutes to 3 minutes was okay. As other speakers have said, I think you are able to get across your point and raise it for the attention of the minister in 3 minutes. I think that has worked well. I also welcome the move to limit ministers responses to 30 minutes. But as I said earlier, it is incumbent on the government now to make sure that ministers do come into the house and respond.

I refer to the reduction in the time available on matters of public importance, which is a time where the opposition has the opportunity to raise important issues. That time has now been reduced from $2^1/_2$ hours to 2 hours. Likewise, with grievances the time has been reduced from $2^1/_2$ hours to 2 hours.

With condolences I do not know how the government of the day will adjudicate on what is distinguished ministerial service. I think that introduces an area of subjective judgment as to whether a former minister will have the respect that any former minister who has served in this house deserves.

In general I want to make a couple of comments on family-friendly hours, and I heard my colleague the honourable member for Murray Valley expressing our views very clearly on that one. Of course family-friendly hours seem to be a good idea at the time. But if you come from country Victoria, as we do,

and it is a 3-hour drive to get here and a 3-hour drive to get home, when we are down here we want to work the maximum number of hours that we can.

I think we have to be careful that we do not knock off early on a week day. That does give metropolitan members the opportunity to get home, to work in their offices or to have some home time, but we do not have that opportunity because our families are not down here. It gives metropolitan members the opportunity to go out to meetings in the evenings if that is what they want to do, depending on the sorts of hours that are adopted. So while we need to get rid of those ridiculous long sitting hours — and that is a matter of management — to artificially reduce the number of hours that this Parliament sits to so-called family-friendly hours is a retrograde step.

I point out that the Parliament should at times think a little more about country members, particularly on a Thursday afternoon when we have to decide whether to drive 3 or 4 hours home. Quite often we have to hop into the car because we have commitments on the Friday morning that we have made in good faith, and then we find that for various reasons the house is sitting longer than anticipated. That does put at risk members who have had an exhausting week down here and then have to hop into the car for a 3 or 4-hour drive home. I make the point that we need to make sure that we finish at an appropriate time on the Thursday afternoon so that country members are able to get home in reasonable time.

I support the notion that all honourable members should have the maximum opportunity to make a contribution in this Parliament because this is the ultimate for being able to express views on behalf of the people we represent in Victoria. I welcome any moves in that direction.

I agree that in many cases far too much time is wasted by both sides of the house, with long answers to questions by ministers that could be far more succinct and to the point, and on the opposition side I acknowledge that quite often the questions themselves are not as precise and succinct as they could be.

It is incumbent on all of us to try to make sure that the questions are succinct, to the point and relevant. Likewise, when ministers respond the Speaker should have the opportunity to keep them narrowly focused on responding to the question that was asked. I think we all have a role to play there. As I say, too much time is wasted, and quite often ministers do not front for the adjournment debate. Sessional orders should, in my view, make it incumbent on ministers listening to the adjournment debate to come in and respond unless they have a very good reason for not doing so. I think the house has a record of allowing ministers to go about their business where they have a good reason to do so.

There is no question that some honourable members do speak or have spoken for an excessive period of time. I think anything that can be done to reduce that is better, because it precludes other members from speaking or being able to make their contribution, as was pointed out by the honourable member for Murray Valley.

The honourable member for Ivanhoe in his contribution, which I thought was very good, claimed that if the second-reading speech of a minister only took 4 minutes, then that should be sufficient time for others, particularly the lead speakers, to respond. That is a ridiculous notion because you can in a 4 or 5 or 10-minute speech cover some far-reaching reforms, and clearly the lead speakers need sufficient time to respond to those issues, as do other honourable members.

I conclude by saying that I think we are very fortunate to live in a country that has a democratic system of government. It is a privilege to be a member of this Parliament. This debate today is about getting the balance right and limiting honourable members making very lengthy contributions. We in the National Party would argue that our right to articulate the views of people in rural and regional Victoria has been compromised. My final comment is simply to quote from the article by John Ferguson:

> … when Labor changes the rules —

he said 'in the upper house', but he was referring to both —

> be bored, be dismissive and turn the television to the World Cup.
>
> But never forget who did it, why and what a pack of hypocrites they really are.

Mr MAXFIELD (Narracan) — Speaker, I rise to make a few brief comments in this debate. I want to say how strongly I support these new sessional orders. I have spent the last three years as a member of this house, and I have sat here and listened to a whole range of debates where I have heard people recycle the same words over and over again, boring people absolutely silly and waffling on in an incredible filibustering manner simply so they can deny somebody else the chance to have a say. What sort of democracy is that? What sort of democracy is it when you stand up and speak for hours on end?

Here we have the Leader of the National Party, who has a long and well-known reputation for being able to speak indefinitely and consistently on topics — it looks as though I have scared him out of the chamber! But the reality is that while he has spoken for many, many minutes, what we have ended up with is that other MPs have been unable to make a contribution to the debate.

I think back to the Workcover legislation, which I had a very strong interest in. I was very keen to speak on the Workcover legislation. It was legislation I felt passionately about, and I certainly was keen to have an opportunity to speak, as were many honourable members. But we of course had lead speakers. We had a lead speaker for the Liberal Party who went for over $3^1/_2$ hours before we even got to the lead speaker for the National Party, who also went for an extraordinary length of time.

As a result of that there were very few other people on either side in this chamber who had a chance to contribute to the debate. Did we get $3^1/_2$ hours of wonderful, exciting information? Of course we did not. No-one was here. No-one was listening. Those who had to sit through it were just bored out of their proverbial brains.

Quite simply put, these sessional orders are utterly democratic because they give people the opportunity to represent their electorates and to put a point in debate. To restrict the debate to a small number of people can only be described as utterly undemocratic. I am very proud to be part of a government that is standing here today supporting the principle of democratic representation in our state, giving people an opportunity to raise issues and express views.

Mr BAILLIEU (Hawthorn) — For me this is a first occasion, because we are in an interesting situation with sessional order debates. The only people who can speak on sessional order debates are those who have already made their maiden speeches, so new members do not get the opportunity to speak on sessional order debates.

The Parliament, of course, is a precious place. This is the crucible in Victoria of our democratic spirit, and this is a crucible of thought. This is where Victorian democracy comes together; this is the chamber, this is the place. This is a place of precious traditions and heritage, and the interesting thing is that none of us own it. None of us owns the traditions; none of us owns this Parliament; none of us owns this heritage. We are merely the guardians of it.

What is this place about? It is about, as other honourable members have said, holding the executive to account. It is about speaking. It is about representing constituents and representing electorates, and it is about doing so with a unique attribute, and that is the privilege of Parliament. Like many here, I was a new member in this house three and a half years ago. You arrived in this house feeling pretty good, although in 1999 some of us on this side were not feeling as good as I am sure the new members are feeling on that side of the house now. But it can be a daunting situation. You can be taken aback by the pace or sometimes the lack of pace of the place, the processes and the people involved, but it is a generally daunting experience.

An important thing a new member should never forget is that every member of this place has a duty to uphold the traditions and heritage of the Parliament. It is a temptation for a new member to take everything for granted and to assume that because other people have been here before and are running the show, they know best. It is also a temptation to trust the executive. It is important that new members in particular recognise that that is not always sensible. They ought to think very carefully about what is going on in this debate on sessional orders.

Victorians and members of Parliament on both sides of the house are being conned with these sessional orders. In many ways they represent a trashing of parliamentary practice. The sessional orders will no doubt pass with the government's majority, and in doing so they will become the norm for this house and for all new members who, not having known anything else, will take them for granted. A new member might say, 'So what?'. We have to be super careful about trashing our heritage, and it seems that that may yet be a basic tenet of this government.

I have commented on the changes in this house. Yes, everyone is going to be very comfortable, and I do not see anything particularly wrong with the workmanship that has gone into the changes. But there are traditions and heritage here, and we have swept them away without question. There has never been a discussion about that either in Parliament or in the public arena. They are the traditions and heritage we have to be careful with when we come to democratic and parliamentary practice. It is dangerous to make changes simply on the basis that because we can make them, we will.

At a time when there are such large parliamentary majorities, it is important to be ever more diligent. To make changes with impunity when you are dispensing with the heritage of Parliament and the traditions of the democratic Westminster system is a dangerous thing to

do. This house is probably the principal heritage-listed building in Australia — —

The SPEAKER — Order! The debate is about the sessional orders, not the state of the house. I have allowed the honourable member to refer to it, but I would like him to address the sessional orders.

Mr BAILLIEU — Indeed, Speaker, I was referring to the traditions and heritage which we have to preserve. If other individuals had taken the liberties with tradition and heritage which are being observed here, then the state would be in a worse condition. There is an old song which has the line 'They paved paradise and put up a parking lot', and when it comes to parliamentary practices we must be very careful — —

Mr Robinson interjected.

Mr BAILLIEU — Do you want me to sing it? The practices may not have been paradise, but they have worked well over a long period, and we have to be very careful. Again as the song goes, 'You don't know what you got 'til its gone'.

New members may have a few anxieties about these sessional orders and may be wondering why the changes are being made. Maybe they do not make as much sense as they were told they would, and maybe they are not in line with the democratic principles that they thought they were getting involved with. They are right, but the irony is that new members cannot speak in the debate, although they will vote on the sessional orders. They will have to remember this debate and remember the changes that were made. Many of them are folly, as has been well demonstrated on this side of the house. It is up to all honourable members to make sure that we do not pay the price for making these changes.

So why are we making them? The Leader of the House gave it away when he interjected this afternoon and said that he wanted to prevent people from speaking. That is a most unfortunate objective. Equally the objective is to prop up the government backbench and to ensure that the excess on the backbench will have opportunities to speak. I am pleased that honourable members will have the opportunity, but if we are simply going for a round of repetition like we witnessed in the last Parliament, then not much will be gained. Those in the government who in the last three years wholesaled material for backbenchers simply to retail are likely to do the same, and new members will find the same thing happening here.

Another objective seems to be avoiding the media, and I want to come back to that. The honourable member for Ivanhoe gave it away when he said that the changes were as much to do with the attitudes of the *Herald Sun* as anything else, including counting member's speeches. I am happy if the *Herald Sun* wants to count member's speeches, but it is not a reason to change our parliamentary practices.

This is not about applying additional scrutiny to the government, because it will result in less scrutiny. Less material will be delivered on the scrutiny of government, and there will be fewer opposition members delivering it. This is not about speaking, it is not about issues and it is not about a voice of contention being raised in the Victorian Parliament. These changes are not serious in their stated objectives, and I want to concentrate on some particular examples which run to the exceptions. New members who look at the standing orders and at the list on page 16 of the circulated document, which shows the various time frames that are being suggested as changes, will say that there is a full list including matters of public importance, grievance debates and bills. But there is room to argue on each of those that there are problems with them.

On page 16 there is a category which includes other motions, and it is incumbent on this house to consider what those other motions might be. We have been told that the times for speaking on other motions like those applying to bills will be limited to 30 minutes for the lead speaker, 20 minutes for the National Party and 10 minutes for all other speakers. New members in particular may not yet recognise what those other motions may run to. They are not about bills; they are about all the other things that happen in the house.

The irony is that the other things are most likely to be the exceptions where additional time will be needed. I take the point that there will be important bills and that there will be times when, as others have suggested, the limitations on the lead speakers will be most inappropriate. Those will be complex bills that involve a lot of regions which require attention. We have seen them in the last three years, and I am sure we will see them again. Time will be tight on those things. Marine parks and water bills have been mentioned, and there have been others.

An honourable member interjected.

Mr BAILLIEU — Constitutional reform, indeed, as the honourable member says. The reality is that I do not believe many honourable members in this house want to speak for longer than they have to. I do not think in the vast majority of cases honourable members want to speak for more than 30 minutes, and that is probably the history as well. But when the exceptions pop up in

terms of bills, why should there be a limitation? I look forward to an extension of time being offered to speakers in the future where it is patently obvious that more time is needed. I trust that in those situations the government will allow for an extension of time, but they are in the areas where there has been much discussion already.

I want to return to those other motions which would more likely be the exceptions, where the 30-minute, 20-minute and 10-minute rule will prove to be a problem. Those other motions will include one of the most important motions that a Parliament can discuss. I have had the experience in the last three years of being involved in three exceptional motions which might be exceptions to normal parliamentary procedures. I think we have only had one privilege motion in the last three years. For new honourable members who have not yet picked up on all the details of the process, the privilege motion results from a determination of the Speaker, and then the determination of the Speaker is essentially brought to the Parliament and a motion is moved.

A privilege motion was moved in the last Parliament seeking to refer a matter to the Privileges Committee about a minister having allegedly misled the Parliament. The Speaker had determined that there was a prima facie case for it being so. The reality was that the debate was brought here and I led the debate for the opposition. I do not recall it precisely, but I believe I spoke for more than 30 minutes, more like 45 to 50 minutes. Basically, I had the obligation in that speech to make a case against a minister on the basis that the minister had misled the house, the irony being that for the first time in Westminster parliamentary history the government used its numbers to vote down a reference to the Privileges Committee. That was an exceptional circumstance and it was a privilege motion against a minister of the government. In that situation a case had to be made and 30 minutes were simply inadequate in which to make the case. These sessional orders will limit the capacity to prosecute a privilege motion in the traditional way. To review past privilege motions, it has generally been the case that they have required more time than other motions.

On another occasion the other house made a request of this house — if I remember the precise terms — to consider a request that ministers be authorised to attend a committee of the other house. That request was made. It was an exceptional circumstance; this does not happen every day. The government chose late in an afternoon session to bring that motion into the house with no warning. That is fine; it is the government's privilege to bring it on with no warning. It was the government's hope that by bringing it in shortly before the dinner break that it would catch the opposition off guard and avoid the media. That was the situation, where the government was obliged to take a motion to the house, and it chose to do so in a way that it could avoid maximum scrutiny. The reality is that again I led the response of the opposition to that motion and I spoke for more than 30 minutes. I prosecuted the case in that time frame and that was a case against the actions of the government. Clearly the government did not want to hear that, and once again it was voted down, but so be it. That is another situation where sessional orders could be dealt with at the whim of the government in a way that does not allow for appropriate scrutiny of the Parliament. If I were a new member I would be thinking, 'Well, that is probably not an unreasonable point that is being made here: that exceptional circumstances ought to be allowed increased time'.

On a further occasion we had an unprecedented situation where the government was required to come into this chamber and move a motion to expunge a record of *Hansard.* I do not want to revisit all the discussion but we had a motion from the government to expunge a record of *Hansard*. It had happened in the Council chamber before but not in this chamber. It was a unique and exceptional circumstance. Again I happened to be the person leading the opposition response on that matter.

Ms Lindell — You should be the leader.

Mr BAILLIEU — I do not know whether or not I spoke for 30 minutes. I may have. I suspect I spoke for longer than 30 minutes.

Ms Lindell — There's no doubt about it.

Mr BAILLIEU — The reality is that I raised those three issues.

Ms Lindell interjected.

The SPEAKER — Order!

Mr BAILLIEU — I raised those issues because they were during my personal experience of just over three years. There are many honourable members here who have served longer than me, who have had far greater experience of exceptional circumstances than just those motions. To limit the debate of two lead speakers to 30 minutes, the National Party lead speaker to 20 minutes and other honourable members to 10 minutes will lead us into situations where the appropriate scrutiny of the executive is not being prosecuted in this Parliament. As guardians of the traditions and heritage of this place, all honourable

members are obliged to think very seriously about that and new honourable members are particularly obliged to think or to ask themselves, given the state of the house, whether their government is doing the right thing here.

I will conclude by noting one other thing: in 1997 the Labor Party produced its *Making Parliament Work* document. It had 13 objectives and I would love to whistle *The Magnificent 13* but sadly all but a couple of those have gone by the wayside. I note that it was a commitment of the now Treasurer that Labor would commit itself in government to 1-hour debates on matters of public importance each sitting day, and that there would be time for private members bills to be debated.

They were noble objectives at the time. There was also a whole range of other objectives which have not been realised — and there was never any intention of realising them. At the time there was an objective to have shorter speeches. The then Leader of the Opposition concluded that the appropriate time was 20 minutes, not 30 minutes. We reduced the standard speaking time from 30 minutes to 20, which was picked up in the sessional orders of the last Parliament.

Now we are moving from 20 minutes down to 10 minutes for the standard member's response. Heaven knows what it will become in the next Parliament if we have gone from 30 to 20 to 10. I invite honourable members to think carefully and to recall this debate. No doubt the sessional orders will pass and the amendments will be dismissed with derision by the government. I ask honourable members to think carefully about that in future when they come to realise that what was said in this debate by a lot of honourable members was fair and reasonable and made sense — and that these sessional orders are anything but.

Mr BATCHELOR (Minister for Transport) — I thank the 25 members of this chamber who have joined the debate today, starting with the Leader of the Opposition and the Leader of the National Party and then the Minister for Agriculture, the Deputy Leader of the Opposition, the Treasurer, the honourable member for Mornington, the Minister for Planning, the honourable member for Lowan, the Minister for Education Services, and the honourable members for Gippsland East, Footscray, Brighton, Mitcham, Murray Valley, Ivanhoe, Box Hill, Mildura, Nepean, Burwood, Sandringham, Oakleigh, Rodney, Narracan and Hawthorn.

That represents a very large contribution from a large number of members. It also represents a geographic spread around the state, and it represents leaders and backbenchers, and ministers and shadow ministers. You, Speaker, can see that there has been great interest in the proposals that have been put forward, but at the end of the day it is likely that the objective to try to provide more opportunities for individual members to speak in this chamber will be accepted or rejected along party lines. Nevertheless I thank those honourable members for their contributions.

It was interesting to note that all the lead speakers for each of the three parties, who had the opportunity for unlimited speaking time, were able to deal with this important issue, as it was described, well within the limits set out in the sessional orders. The times that the government is essentially providing for in these sessional orders are the same as the time framework, without going to the exact minute, in which this debate took place. That is true for many of the other members who contributed to the debate.

I would like to mention a couple of things before a vote is taken. I will correct a statement that the Leader of the Opposition made, which was also picked up by the honourable member for Hawthorn and may have been commented on by others, by way of picking up an interjection. I do not want to stop members of Parliament talking or debating; in fact, I have said the contrary.

I want honourable members to be given the opportunity to talk. I do not believe it is appropriate for a select few in this chamber to consume all the available time, thereby precluding and excluding others from joining in a debate. We have given plenty of opportunity today for a lengthy debate, but nobody from the opposition has effectively countered that argument. This is about providing individual members of this chamber with new opportunities to talk and extra time in which to carry that out, because their debating time will not have been consumed by some members who are obsessed with only their views.

The government will be accepting the amendment to be moved by the honourable member for Mitcham. I thank him for speaking of his experience on the Scrutiny of Acts and Regulations Committee; his was a useful contribution. It will preclude predictable points of order about anticipation of debate. That is helpful.

The government will not be supporting the amendments to be moved by the honourable members for Gippsland East and Box Hill.

The SPEAKER — Order! As honourable members are aware, some members have indicated that they wish

to move amendments to the proposed sessional orders. Because the motion is long and has many different complex components, and in order to protect the rights of the minority, I have decided that with the concurrence of the house I will treat the matter as a bill is treated during the committee stage. However, because the sessional orders concern the whole house it is not appropriate to go into a committee of the whole.

I will therefore leave putting the motion of the Leader of the House until after the Clerk has called each of the proposed sessional orders to which amendments may be moved. When all the amendments to the sessional orders have been dealt with I will put the appropriate question — that is, 'That the motion be agreed to' or 'That the motion as amended be agreed to'.

In the event that the motion is amended to a significant degree, I also suggest that the house give the Clerk the power to make alterations to the sessional orders in relation to the consequential renumbering and other clerical amendments that may arise.

I remind the house that my putting a question provides no opportunity for debate; it is just a matter of dealing with the amendments.

Sessional order 2

Mr CLARK (Box Hill) — I move:

1. Paragraph (2), under 'Wednesday' omit 'parliamentary committee'.

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

Ayes, 62

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Savage, Mr
Seitz, Mr
Stensholt, Mr
Thwaites, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 22

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

The SPEAKER — Order! As the amendment moved by the honourable member for Box Hill is lost, amendments 3, 6 and 7 cannot be moved by the honourable member.

Sitting suspended 6.35 p.m. until 8.03 p.m.

Sessional order 6

Mr INGRAM (Gippsland East) — I move:

1. Paragraph (7)(a)(ii), omit 'required by the government'.

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

Ayes, 60

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Seitz, Mr
Stensholt, Mr

Howard, Mr
Hudson, Mr
Hulls, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 25

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Savage, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

The SPEAKER — Order! As a consequence of the amendment being lost, the honourable member for Gippsland East is unable to move his amendments 2 to 16.

Sessional order 8

Mr CLARK (Box Hill) — I move:

2. Paragraph (2), omit 'being allocated between members according to party/individual representation in the House', and insert 'alternating between government and non-government members'.

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

Ayes, 60

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Seitz, Mr
Stensholt, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 25

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Savage, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

Sessional order 11

Mr CLARK (Box Hill) — I move:

4 Paragraph (2), under the heading '**Government bills (excluding appropriation bills) — second reading**' omit '30 minutes' and insert '60 minutes'.

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

Ayes, 61

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Savage, Mr
Seitz, Mr
Stensholt, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 24

Asher, Ms
Maughan, Mr (*Teller*)

Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

The SPEAKER — Order! The honourable member for Box Hill to move amendment 5, which is identical to amendment 17 put forward by the honourable member for Gippsland East.

Mr CLARK (Box Hill) — I move:

5. Paragraph (2), under the heading '**Government bills (excluding appropriation bills) — second reading**' omit '10 minutes' and insert '15 minutes'.

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

Ayes, 60

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Seitz, Mr
Stensholt, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 25

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Savage, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

Mr INGRAM (Gippsland East) — I move:

18 Paragraph (2), under the heading '**Private members' bills — second reading**' omit '30 minutes' where twice occurring and insert '20 minutes'.

Amendment negatived.

Mr INGRAM (Gippsland East) — I move:

19 Paragraph (2), under the heading '**Motions other than procedural motions**' omit '10 minutes' and insert '15 minutes'.

Amendment negatived.

Sessional order 14

Mr INGRAM (Gippsland East) — I move:

20 Before 'Despite' insert '(1)'.

House divided on insertion (members in favour vote no):

Ayes, 83

Allan, Ms
Andrews, Mr
Asher, Ms
Baillieu, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Clark, Mr
Cooper, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Mr
Delahunty, Ms
Dixon, Mr
Donnellan, Mr
Doyle, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McIntosh, Mr
McTaggart, Ms
Marshall, Ms
Maughan, Mr
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Mulder, Mr
Munt, Ms
Napthine, Dr
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Plowman, Mr
Powell, Mrs
Robinson, Mr
Ryan, Mr

Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Honeywood, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Jasper, Mr
Jenkins, Mr
Kosky, Ms
Kotsiras, Mr
Seitz, Mr
Shardey, Mrs
Smith, Mr
Stensholt, Mr
Sykes, Dr
Thompson, Mr
Trezise, Mr
Walsh, Mr
Wells, Mr
Wilson, Mr
Wynne, Mr

Noes, 2

Ingram, Mr (*Teller*)
Savage, Mr (*Teller*)

Amendment negatived.

Sessional order 17

Mr ROBINSON (Mitcham) — I move:

1 Paragraph (1), after 'parliamentary committee reports' insert ', excluding reports by the Scrutiny of Acts and Regulations Committee under s4D(a) and s4D(b) of the *Parliamentary Committees Act* 1968,'.

House divided on amendment:

Ayes, 62

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Ingram, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Savage, Mr
Seitz, Mr
Stensholt, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 23

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment agreed to.

The SPEAKER — Order! The final question is that the motion as amended be agreed to.

House divided on motion as amended:

Ayes, 62

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beard, Ms
Beattie, Ms
Bracks, Mr
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Helper, Mr (*Teller*)
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Ingram, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lobato, Ms
Lockwood, Mr
Loney, Mr
Lupton, Mr
McTaggart, Ms
Marshall, Ms
Maxfield, Mr
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr
Pike, Ms
Robinson, Mr
Savage, Mr
Seitz, Mr
Stensholt, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 23

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Mulder, Mr
Napthine, Dr
Plowman, Mr
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Smith, Mr
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amended motion agreed to.

TEMPORARY CHAIRS OF COMMITTEES

The SPEAKER laid on table warrant nominating Ann Patricia Barker, Christine Mary Campbell, Hugh Francis Delahunty, Craig Ingram, Kenneth Stephen Jasper, Nicholas Kotsiras, Jennifer Margaret Lindell, Donato Antonio Nardella, Antony Fulton Plowman, Russell Irwin Savage, George Seitz, Kenneth Maurice Smith and Murray Hamilton Ross Thompson to act as temporary chairs of committees whenever requested to do so by the Chair of Committees.

TEMPORARY RELIEF IN CHAIR

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That during any absence of the Deputy Speaker, the Speaker be authorised to call upon any of the temporary chairs of committees to temporarily relieve her in the chair and that during any absence of the Speaker, the Deputy Speaker be similarly authorised to call upon any temporary chairs.

Motion agreed to.

JOINT SELECT COMMITTEE

Bushfires: inquiry

Mr RYAN (Leader of the National Party) — I desire to move, by leave:

That —

(a) A joint select committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The committee shall examine all relevant issues and furthermore the committee is specifically required:

(i) To examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian-based national parks and state reserves (the reserves).

(ii) To examine the degree of fuel reduction burning carried out annually over the last 25 years within the reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience.

(iii) To examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the reserves.

(iv) To examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that:

77.5 per cent of the CFA budget is provided by the owners of private property who insure; and

what effect the costs incurred by the CFA in fighting fires within the reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA.

(v) To inquire into the management and control of the firefighting operation with particular reference to the level of coordination and cooperation between DSE, Parks Victoria, the CFA, the State Emergency Service (SES), the Army Reserve, the Red Cross, local government and other emergency service providers, both public and private.

(vi) To examine the current levels and operational capacity of firefighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft.

(vii) To examine the appropriateness of CFA volunteers providing their time gratis, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event.

(viii) To examine the impact that the reduction in sawlog availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control.

(ix) To examine whether the provisions of the Flora and Fauna Guarantee Act 1988 were applied unreasonably so as to materially hinder the firefighting effort.

(x) To examine if human action either accidental or malicious caused any of the fires and if the provisions of the Crimes Act 1958 are sufficient to deal with arson offences.

(xi) To examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice.

(xii) To examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event.

(xiii) To examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event.

(xiv) To examine the practicality of encouraging all country-based public servants to join the CFA.

(xv) To examine the incidence and extent of personal injuries suffered by any person during the course of the fires.

(xvi) To assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events.

(xvii) To make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency.

(b) Four members of the committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council.

(c) The committee has the power to send for persons, papers and records.

(d) The committee shall elect one of its members to be Chair.

(e) The committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the committee.

(f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

(g) Five members of the committee to be the quorum.

(h) The committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place.

(i) The committee shall sit on days on which both houses do not meet.

(j) The committee shall advertise its terms of reference and call for submissions and all such submissions received by the committee will be treated as public documents unless the committee otherwise orders.

(k) All evidence taken by the committee will be treated as public documents unless the committee otherwise orders.

(l) The committee shall on request make available to any member of the public a copy of any public submission or record of evidence.

(m) The committee may commission persons to investigate and report to the committee on any aspect of the subject matter.

(n) The presentation of a report or interim report of the committee shall not be deemed to terminate the committee's appointment, powers or functions.

(o) The committee shall include with any of its reports any minority reports submitted to it by a member or members of the committee.

(p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council.

(q) The committee be a committee to which section 51A of the Parliamentary Committees Act 1968 applies.

Leave refused.

Mr RYAN gave notice of motion.

PLANNING SCHEMES

Revocation of amendments

Mr RYAN (Leader of the National Party) — I desire to move, by leave:

That in accordance with section 38(2) of the Planning and Environment Act 1987 this house revokes amendment C15 of the Wellington planning scheme and amendment C20 of the Latrobe planning scheme.

Leave refused.

Mr RYAN gave notice of motion.

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

That the house, at its rising, adjourn until tomorrow at 9.30 a.m.

Motion agreed to.

GOVERNOR'S SPEECH

Address-in-reply

The SPEAKER — Order! I have to report that the house has, on Tuesday, 26 February 2003, attended the Governor in the Legislative Council chamber where the Governor was pleased to make a speech to both houses of Parliament and of which I have obtained a copy for accuracy.

As the speech is printed and copies are in the hands of honourable members or are available to them it is not necessary to read the speech.

I call the mover of the address-in-reply, the honourable member for Gembrook, and I advise the house that this will be the inaugural speech of the honourable member for Gembrook, which in accordance with the normal traditions of the house is to be heard in silence.

Ms LOBATO (Gembrook) — I desire to move:

> That the following address-in-reply to the speech of the Governor to both houses of Parliament be agreed to by this house:
>
> Governor:
>
> We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign and to thank you for the speech which you have made to the Parliament.

I am truly honoured to have been elected as the first member for the seat of Gembrook and as a member of the Bracks government. I take this opportunity to acknowledge the traditional owners of the land on which we stand here today — the Kulin nation — and to pay my respects to their elders.

I wish to congratulate the Speaker on her appointment as the Parliament's first female Speaker. I congratulate new members and all ministers appointed in this house.

I am proud to be part of a government responsible for the restoration and continuation of social structures and honest and accountable governance, to be a member of a Labor government that restored the faith of the Victorian people with the knowledge that governments have responsibilities to the people. I am immensely honoured to be a member of a government that has restored and will continue to restore services and govern for all Victorians no matter where they reside. The Bracks government is committed to continuing to build stronger communities, particularly in the regions and outer suburbs.

To be the member for Gembrook is indeed a privilege for me and even more so as the electorate is where I grew up, went to school, participated in sporting groups and formed many friendships. The new electorate of Gembrook stretches from Berwick, Beaconsfield and Officer in the south-east up through Harkaway to Belgrave South and Belgrave, through the towns of Emerald, Cockatoo and Gembrook and into the Upper Yarra areas of Woori Yallock, Launching Place, Yarra Junction, Powelltown, Warburton and Mount Donna Buang. It extends over 2053 square kilometres and is home to 50 375 people.

The industries in the townships themselves are very diverse. In the Upper Yarra area the main industries are tourism, agriculture, and arts and crafts. These industries are also common within the Dandenong Ranges, whereas the south-east predominantly comprises commercial, industrial and retail businesses.

The electorate of Gembrook was created in the most recent redistribution of the boundaries, taking in sections of the previous seats of Berwick, Pakenham and Evelyn. For the first time in history Berwick is now represented by a Labor member, which is also the case for the majority of the electorate. There are areas within the new electorate that were once described by a former Premier as being the toenails of the state. Former members for the old seats must have agreed, as they refused to reside anywhere near their electorates.

One of the main concerns facing the municipalities within the electorate is that of being classed as an urban region rather than having a rural classification. The Shire of Yarra Ranges and the Cardinia shire are the responsible local councils of those affected areas and are among the interface councils. The interface areas are made up of 70 per cent rural and 30 per cent urban, yet funding classifications do not reflect this, thereby inhibiting opportunities for much-needed infrastructure and social service requirements. I will work actively to ensure appropriate recognition is given to these interface councils.

The Bracks government has succeeded in restoring the public health service by recruiting more than 3300 nurses to treat patients with more care. The Bracks government will continue to rebuild the health system by providing a further 900 nurses and health workers every year; 900 beds will also open in order to treat 35 000 more patients every year. The Bracks government is also responsible for commencing the construction of the Berwick hospital that will service the needs of residents throughout the south-east and areas within the outer east growth corridors.

Health services, in particular after-hours and emergency services throughout Gembrook and the Upper Yarra, are severely lacking mainly due to the lack of incentives provided to encourage GPs to practise within the electorate. Where there are GPs, bulk-billing providers have been so dramatically reduced that residents cannot afford to see a doctor and subsequently end up using the ambulance or hospital emergency facilities for a health issue that could have been cleared up by attending a GP's clinic earlier. I now have the responsibility to work with my federal colleagues to improve GP services in the area, and I will work in partnership with the Shire of Yarra Ranges to

implement the recommendations made recently by its working party.

Puffing Billy is a major tourism attraction in the electorate, last year attracting 259 185 visitors. Gembrook is fortunate enough to accommodate Puffing Billy at its own magnificent station but requires assistance to develop other tourism initiatives required to accommodate the tourists efficiently. The town's other claim to fame is its successful potato-growing industry.

Gembrook–Launching Place Road can lay claim to being one of the last main roads to be unsealed. I look forward to assisting in the greater promotion of local tourism once this road has been sealed. I also look forward to assisting the electorate with the appropriate provision of public transport services to assist in education and employment opportunities.

I am very proud of the Bracks government's environmental policies and actions, which have created more national parks than any other Victorian government. It is phasing out logging in sensitive areas and is supporting the protection of Victoria's magnificent environment. From a totally impartial view the Gembrook environment, I believe, has to be one of the best if not the best in the state of Victoria. It is home to many unique and pristine state forests. Sherbrooke Forest in the Dandenong Ranges is where I spent much of my recreational time while growing up, as it was a few doors from my family home. Regular family walks through the forest form the basis of my appreciation of the environment.

I aim to assist the Gembrook communities in promoting awareness and advocating progressive environmental policies so as to ensure the long-term existence of areas of environmental significance such as the Upper Bunyip 350 block and the areas around McMahons Creek in the Upper Yarra. Thankfully the Bracks government is committed to stopping urban sprawl and managing population growth by protecting Melbourne's green wedges from inappropriate development.

I stand here today as a proud environmentalist and wear a badge from the Australian Conservation Foundation as a symbol of my dedication and passion.

To be one of the parliamentary representatives in the fastest growing municipality in Victoria and the third-fastest in Australia, that being the City of Casey, will indeed be a challenge. The city represents almost 200 000 residents and is made home to 80 families a week. A large proportion of the growth corridor is contained within the electorate of Gembrook. I look forward to working with the council to ensure that adequate infrastructure is planned for and implemented prior to the escalation of development.

The 55th Parliament has become a record breaker for its inclusion of a record number of female representatives. The Victorian Parliament now includes 40 female members. Compare this with the figure for June 1933, when Victoria first elected a female to Parliament.

Emily's List, an organisation dedicated to encouraging and supporting women in their quest for political participation, has assisted many female parliamentarians. Since its inception in 1996 Emily's List has helped 86 new women MPs to be elected to parliaments around Australia.

I take this opportunity to thank Emily's List, and I offer a special thanks to Joan Kirner as co-convener. Throughout the campaign Joan was responsible for providing me with inspiration as well as practical support. As a female candidate it is important to have the support of other current or past female members to understand how difficult it is to combine a demanding campaign with family commitments — especially, in my case, having a six-month-old baby at the beginning of the campaign. I was fortunate in having Joan phone me to inquire how the family were coping, stressing the importance of creating time for them, and also to remind me to take my vitamins.

I stand here today as a proud member of Emily's List and wear its badge as a symbol of my dedication to and passion for supporting more women into Australian Parliaments.

The death of my uncle, John Papa, triggered my active political participation. It was 1997 when John was killed in an accident caused by a negligent workplace whose priority was profit before workers safety. It was also 1997 when the former Kennett government's neo-liberalism impacted, with severe cuts to the rights of workers in terms of safety and common-law rights. Subsequent to his untimely and tragic death his partner, my aunty, was struggling to come to terms with solely supporting three children in the knowledge that the Kennett government was about to facilitate further destruction upon her family and others by removing common-law rights.

I saw this as a grave threat to the human rights of all Victorians and therefore sought to oppose the government's actions by commencing a letter-writing campaign to my then state member of Parliament, Robert Dean. The response concerned economic

responsibility without reference to workers and families safety or economic needs, which left me unconvinced.

The Bracks government believes that every Victorian worker is entitled to a fair, safe and secure workplace. It has restored the rights of all Victorian workers to a fair and equitable system of workers compensation.

Two months after John's death I gave birth to my son Archie. It was then that I became overwhelmed with concern about the society in which my son was to be raised. I wondered about the type of education Archie would receive under the leadership of such a government. With massive cuts to teachers, record class sizes and an unwarranted assault on the number of Victorian learning institutions, I wondered whether Archie would be subjected to attending a school that had been forced to accept sponsorship from a multinational corporation in order to exist. If Archie were to require urgent medical attention and his parents lacked financial savings, would he receive it from an underfunded hospital?

Primarily it was these concerns that motivated me to commence a Bachelor of Arts degree in community development, which I started at Chisholm Institute and completed at Victoria University. I am due to graduate in April.

Therefore I would like to thank the former Premier, Jeff Kennett, for encouraging me to become a part of the Victorian political processes.

I am proud to be a citizen and a member of Parliament within an Australian state that is proudly multicultural. Victoria is one of the most culturally diverse states with over 1 million people having been born overseas. I appreciate the inclusiveness and the celebration of cultures advocated by the Bracks government and am very pleased by its acknowledgment of and dedication to fundamental human rights. At a time when some governments base their political agenda on racism, I am proud to be a Victorian.

I stand here today as a proud member of Amnesty International and wear its badge as a symbol of my dedication to and passion for the human rights of all.

I am constantly overwhelmed by the sense of community spirit evident throughout the towns within Gembrook. When an issue of concern is raised by one community member it becomes an issue for the whole town. It is then worked through in a collective manner by the many township committees or the specific groups. The word 'volunteer' applies to almost every resident I have had the pleasure of meeting.

Due to the size of the Gembrook electorate I was mindful that wherever my office was located it would always be remote to some, so prior to the election I guaranteed that I would always be an accessible member. I have therefore set up mobile offices within the communities, and I thank these communities for their hospitality. On my mobile days, which occur weekly except when Parliament sits, I am situated at the Warburton Water Wheel and Visitor Centre and the shire offices at Yarra Junction, and the alternate week is spent at the Emerald Mechanics Institute Hall and Gembrook Puffing Billy railway station, with the Fat Controller talking to the constituents as they wait.

I would like to thank the many people responsible for the Gembrook victory, but before I do I would like to acknowledge the passing of my father-in-law, Paddy Lawler, exactly one month ago. I had spoken to Paddy about a week before, expressing my wish that he would attend the house today to hear my inaugural speech. He replied that he would love to but that I would have to pick him up as he did not want to have to drive into the city. I am deeply saddened that his untimely death prevented him from being here as I know how incredibly proud he was of me.

I would not be standing here today if it were not for the support of my partner, Rod. I also thank my children, Archie, five, and Ashley, now 11 months, for putting up with my campaigning and now for adjusting to my hectic schedule. Our children are fortunate to have such a dedicated and devoted father. I would like to apologise to my dogs for no longer being able to walk them daily.

Thank you to my Mum and Dad and Aunty Jenny for their never-ending support and encouragement. Thank you to my parliamentary mentor, Christine Campbell.

There is no doubt that there would be no Labor member for Gembrook if it were not for the Honourable Adem Somyurek. Along with Dale Wilson, MP, and the Honourable John Pandazopoulos, Adem encouraged me to become the candidate for Gembrook. Our victory was a result of Adem's guidance, support, friendship and encouragement.

Thank you to branch members throughout the electorate for their invaluable support. Thank you to my friends Pam and Sharyn for their support and unrelenting assistance on election day, and thank you to my electorate officers, Alex, Pauline and Michael, for their support and commitment.

To the residents throughout the electorate of Gembrook I thank you for your faith in me.

The SPEAKER — Order! I now call on the member for Frankston to second the motion.

Mr HARKNESS (Frankston) — Yesterday the Governor in his speech outlined a program that will bring confidence to the Victorian community. It is therefore my great privilege and pleasure to second the motion by making my inaugural speech.

Let me start by asking a question: is there a role for government in the 21st century? It might be argued that in contemporary times there is not. It is nevertheless my contention that now particularly is the time that our society requires active leadership from government.

The issues facing us in a modern world are many and varied. Imminent warfare, significant societal and technological change, an unsure and economic future and the planet at an ecological turning point are all factors influencing our lives. Yet the underpinning strength of our society is a sense of community and its quest for sustainability.

As a young parliamentarian, I have lived my entire life in a world of unprecedented change — technological, social, economic, environmental. The past 28 years have been turbulent and often marked by chaotic events. I have observed that the strongest turbulence has been created when at various points government has withdrawn from a proactive role in society. I have observed the proponents of neo-liberalism and market forces delude us with promises of a trickle-down effect, of a better future, of a wait-and-see approach — promises, promises. I have observed some of those at the top of the ladder assure us that we will all be beneficiaries of their model, and yet we stand by and watch as they pull up the ladder as others attempt to climb it.

I am often asked what motivated me to enter Parliament to become part of government. The answer for me is simple, although I appreciate that it is a very complex task. I want every person in Frankston, in Victoria and in Australia to have the opportunity to reach their full potential, to reach the top of life's ladder. I want to ensure that there are no rungs missing from the ladder and that nobody — no citizen — is left stranded without a ladder to climb.

Government has a significant role to play in providing everybody with opportunity — free and equal access to a decent education, reliable and responsive health care, the ability to walk the streets at night without fear, or simply a roof over their heads. It is government's responsibility to provide the mechanisms for ensuring this, for ensuring that those already at the top of the ladder reach down and help others up. That is the role of good government.

John Maynard Keynes in *The End of Laissez-Faire* identified his understanding of the role of government:

> The important thing for government is not to do the things which individuals are doing already, and to do them a little better or a little worse; but to do those things which at present are not done at all.

Government is about facilitating a compassionate society — one in which we can all live together, work together and grow together. Government is not about an unbridled, uncompromising blinkered devotion to the benefits of market forces. Government is not about turning people against each other, all competing for a share of the cake — for access to resources or assistance. Government is certainly not about creating a duopoly of citizenry — the haves and the have-nots.

Anthony Giddens in his text *The Third Way* observed:

> The restructuring of government could follow the ecological principle of getting more for less; understood not as downsizing but as improving delivered value.

The Bracks government has built a reputation of promising what it can deliver and delivering what it promises. I applaud my colleagues who have delivered three years of great government.

In 1996 my conscience was pricked and I joined the Australian Labor Party. I found myself unable to sit idly by and observe the social fabric of our society — our schools, hospitals, police force and other public institutions — torn apart by a zealous adherence to monetarist principles. Seven years later I stand here as a member of a social democratic government: a government which believes that such an entity as society exists and encourages a sense of enlivened community and a commitment to the common good, as Rousseau would have it; a government that governs for all Victorians, without fear or favour; a government that plays an active role in delivering basic services to all Victorian citizens; a government dedicated to designing and implementing good public policy; and a government that will reach down and help those without the energy or ability to climb the ladder.

I am proud to be a Fabian. The Fabian Society emerged in the 19th century as a social movement to bring about reform by small eclectic change rather than by revolution. As the society's national president, Gough Whitlam, has observed:

> The Fabian approach is a stubborn faith in human ability to solve the problems of human life through the application of human reason.

> It insists on the importance of ideas in politics.

There is renewed public expectation for policy options expressive of left-of-centre values and principles. The role of government is to face up to the challenges of our changing society and to meet the needs of people. My role in this chamber will be to encourage radical thought, searching debate and well-thought-out public policy — as Whitlam said, to apply reason.

If the recent elections indicated but one actuality, it was that people want good basic services. Basic services are a right and not a privilege.

I have a strong belief in the role of government. In times of great and varied challenges, people are looking for leadership. They are looking for parliamentarians who will take the firm but fair decisions; for parliamentarians who will be creative; for parliamentarians who will stand up for their communities; and for parliamentarians who will be there for them. People are expecting government to deliver for them. Increasingly they understand there is a cost involved to themselves when making demands of government. Underlying this realisation is also the acceptance that it is an accountable government which is best placed to deliver for all.

Youthful exuberance is a good thing and I am dedicated to facilitating and delivering the best outcomes for Frankston. I am committed to standing up for Frankston. It is a humbling experience to join the expanded ranks of the Bracks Labor government. It is with much respect that I take my place in this historic chamber.

I am proud to be here today as the new member for Frankston, the first Labor member for Frankston since Jane Hill in 1979. My parents, Heather and Stewart, migrated to Australia from New Zealand in 1971. They made the courageous decision to emigrate and start a new family and a new life in Australia, making the same physical and spiritual journey as so many others before them and after them. Victoria has been a welcoming place marked, in the main, by a spirit of cohesiveness and goodwill. I salute them and the many others who have chosen to adopt Victoria as their home to contribute to the milieu of our society and to add to the social and economic value of our community.

My interest in public affairs was stimulated by them — through many hours of listening to our national broadcaster, the ABC, of which I am a loyal and dedicated friend. Victorian politics is not new to my family. Two ancestors were actively involved in public affairs — both as the mayor of Bendigo and one was also twice a candidate for the state seat of Sandhurst.

My foremost task is to be an effective local member of Parliament. I thank the people of Frankston for electing me as their representative. As a successful candidate in the seat of Frankston, I will represent all residents of the electorate whether or not they voted for the Australian Labor Party. I will not take the seat for granted. Frankston is not the property of an individual or a group — it is the collective property of the 30 000 Frankston electors.

My belief in the positive role of government is underpinned by my unambiguous commitment to good governance. There has been, in contemporary times, a growing gulf between the electors and the elected. It is incumbent upon parliamentarians such as me to break down this barrier through community building and cooperative partnerships between different tiers of government, the corporate sector and the community, and by insisting that all decision making should be transparent, accountable and participatory — good governance at work.

The strong support I received at the recent elections carries with it certain obligations. It means making Frankston a better place. It means encouraging Frankston's residents to become advocates for our city. It means providing Frankston with its fair share. It means delivering the capital infrastructure it both wants and needs. Most of all, it means that government takes an active role in improving the wellbeing of Frankston's citizens.

My office is an accessible, efficient and pleasant environment for the community. It is a place where I meet regularly with community members and stakeholders, and my electorate officers and I act as community facilitators in fostering good relations between constituents, community groups and all levels of government, and in taking an innovative yet commonsense approach to constituents and policy matters. In my office, at a local level, constituents can see how government works well.

John O'Sullivan, in *The United States Magazine and Democratic Review*, said in 1837:

> All government is evil, and the parent of evil … the best government is that which governs least.

Thoreau agreed, adding that:

> Government is best which governs not at all.

Alternatively John Ralston Saul, in *The Unconscious Civilisation*, argues that:

> … the individual and the government are linked together by an artery.

> If we act to sever that artery by replacing or opposing the central role for government, we cease to be individuals and revert to the status of subject.

I wish to debunk O'Sullivan and Thoreau by way of example.

Without government, would the provision of health care be provided on the basis of personal wealth rather than real human need? Without government, how many people would live on the streets without food or shelter? Without government, would our foreshores be crowded with overdevelopment? Without government, how many more lives would be lost on the roads? Without government, would our young people miss out on a best start in life by not receiving a decent education? Above all, without government, do we have a sustainable future?

Ralston Saul is indeed correct in characterising government as the artery necessary to provide a truly civil, productive and clean and green community.

In *The Sacred Balance* David Suzuki poses the challenge that Victorians are grappling with:

> Economies were once created to serve people and their communities.
>
> Today economic rationalists contend that people must sacrifice and give up social services for the economy.
>
> As we reflect on our fundamental needs as social animals, it is clear that families and communities assured of biodiversity, full employment, justice and security constitute the real non-negotiable starting point in the delineation of a sustainable future.

For too long government has spoken of the need to protect our environment and to preserve our biodiversity. Now is the time to stop paying lip-service to environmental sustainability and get our hands dirty. Whether it is better managing our forests, removing plastic bags from Kananook Creek or providing support for our volunteer friends groups, the clarion call has been sounded for our natural environment.

The key challenge facing our society is to find an equitable synergy between the competing demands of the economy, the environment and society to ensure sustainability for future generations. Sustainability cannot be dictated. It must be initiated at the grassroots level and championed by the people in partnership with government.

The United Nations Educational, Scientific and Cultural Organisation Biosphere project on the Mornington Peninsula is a leading example of what can be achieved with a collaborative approach between a determined citizenry — or as Robert Putnam termed them, 'grassroots gladiators' — and responsive governments. Governments in the 21st century need to adopt a collaborative style — to listen and act. Government needs to work with its citizens and not treat them merely as clients. It must empower, not patronise; it must be a builder of social capital, not just capital works; and it must genuinely care for the environment, heeding the insightful words of David Suzuki — that there is no economy with no environment!

A government active in community building, facilitating a vibrant economy and caring for the environment encourages trust, cooperation and individual personal commitment to a better future — a sustainable future. This is a crucial role for government in the 21st century — investment in its citizens, its polis and its environment. A healthy dividend is guaranteed for any government that makes this investment.

In conclusion, a former Labor Prime Minister, the Honourable Ben Chifley, talked about the light on the hill. The light has not gone out. The Bracks government will continue to illuminate Victoria with progressive ideas and fair decision making — working towards a sustainable future.

Labor governments are distinctive. We believe in the critical role of government. We believe that strong and active government leadership best manages change to provide security and opportunity for all Victorians. We believe that government is not an impediment, but rather a crucial force in building and realising the full potential of a robust economy, a just society and an environment in which biodiversity is assured.

Labor stands for the people, and Labor stands firmly against those who take advantage of the people. As the Labor member for Frankston I look forward to the challenges over the months and years ahead as we continue to deliver good government and governance for Victoria.

The SPEAKER — Order! I now call the honourable member for Bass, and I remind the house that this is his inaugural speech.

Mr SMITH (Bass) — It is a great pleasure to be here as the youngest new member for the Liberal Party on this side of the house! It is an honour and privilege to be here as the first member for the seat of Bass in Victoria.

Firstly, I congratulate you, Speaker, on your appointment to the highest office in the Parliament. As the first woman Speaker in the history of the Victorian Parliament you have the opportunity to make your mark for the women of Victoria, and it will be

interesting to see whether you are able to achieve the high accolades that were given to former Speaker Tom Edmunds during the debate on the condolence motion last night. Honourable members spoke about the fairness of his treatment of all honourable members of this house, and it will be up to you to make that happen. I wish you all the best, and I can assure you of my support.

While I am extending my congratulations, I would also like to take the opportunity to pass on my congratulations to the previous Speaker, Alex Andrianopoulos, whom I had a great deal to do with over the years. He was a good and fair man who conducted his role with great dignity. I wish him well in his retirement. I am sure he will have an enjoyable time. He certainly put in a great deal of effort in this house.

Some honourable members will be aware that I do not come to this chamber without some parliamentary experience, as I had the honour of serving the people of South Eastern Province for a period of 14 years. I enjoyed my time in the Legislative Council, and I now look forward to many years in this place.

Ms Asher — Hear, hear! So do we.

Mr SMITH — Again, so do I. I also offer my congratulations to the Honourable Bruce Chamberlain, the former President of the Legislative Council, whom I worked with there for a period of eight years. He also conducted himself very fairly, and the decisions he made were always very good.

I must say, however, that I read with great concern about the changes proposed by the government to the structure and the workings of the Legislative Council. The action strikes at the very heart of democracy in Victoria. You may not believe it, but it was a house of review. The Legislative Council has its traditions, and it did not abuse the privilege, as the government has done with its proposal to change the sessional orders and move towards proportional representation.

The government proposes cutting honourable members' speaking times not only in the Legislative Council but also in this chamber. The changes will not allow for full and proper debate or enable honourable members to have the chance to properly put forward their arguments on behalf of their constituents. And that is what it is all about. That is what the 132 members of Parliament are here for — to be able to talk on behalf of their constituents, who cannot be here but who have elected members to represent them in this place. The government is taking away from them the right to be able to do that by restricting the time they will have to put forward their case. I have a problem with that. The government will stifle debate in this house, and it will stifle debate in the other house. We do not need that in Victoria. The government has a very large majority in both houses, but it will still abuse the system. The arrogance that will be shown by this government will bring it to its knees.

As John Ferguson said in the *Herald Sun* of Saturday, 2 February, when writing about the proposed changes to the upper house:

> But never forget who did it, why and what a pack of hypocrites they really are.

What about that for the truth from John Ferguson! He was right about that. When the arguments regarding sessional orders were being put forward earlier we learnt what hypocrites government members are. They had their own words spoken back to them — things that had been said by the Leader of the House and the Treasurer. They need to have a look at the history of this Parliament and think a bit about the damage they will do to democracy in this state.

When I look around this chamber I see some of the young faces who will have the expectation of making their mark in this place. Will they ever get to the front seats here? Will they ever be in a position where they will be appointed as parliamentary secretaries, ministers in the government or maybe even the Premier of the day? Let me assure them that that is not a decision they will make. It will be a decision made by the Trades Hall and by their union mates who support them. I can assure them that if they do not do what they say it will be a case of 'Bad luck!', because they will not make it to the big time.

The opposition knows that the people of Victoria made their decision on 30 November last year when they re-elected a Bracks government. We on this side were rejected by the people, but we are a resilient group of people.

Honourable members interjecting.

Mr SMITH — We may not be here in huge numbers, but we are a resilient group of people who will get back, do not have any doubt about that. We have had a good, long, hard look at ourselves, and we have listened to what the people of Victoria have said. We will make our way back, and you lot on the other side, the Guilty Party of the 1980s — —

Honourable members interjecting.

Mr SMITH — The Guilty Party of the 1980s should not forget the election results of 10 years ago. Look where it is sitting now. We are on our way back already!

The opposition will be returning to the government benches in the not-too-distant future, and it knows the Bracks government is already beginning to show its arrogance. It is already bowing to its political puppeteers and not consulting with the people in the business community. One only has to look at Easter Sunday trading, which this government will bring in. It has told everybody what is happening, but whom did it consult with? Did it consult with the employers? Did it consult with industry groups? No, it did not consult with any of those people, and it is not something that jumps out at me as being one of the election promises it made. I cannot remember it, and I am sure the people of Victoria cannot remember it. So it should not even talk to me about having a mandate to make the change, because I do not believe it ever raised the issue of Sunday trading.

If it wants to be fair dinkum instead of just bowing to its mates from the Shop, Distributive and Allied Employees Association, the government needs to have a look at what the people of Victoria might want — the people who enjoy their shopping and the people who like to go out on a Sunday. Just remember: they are the people who are not going to be voting for the government at the next election. They are the people who will understand just how compliant it is to its trade union mates.

We must ask where the consultation was with those employers and businesspeople who have to pay. The government has to remember that they are the ones who have to pay. It is not the government who pays; it is the business people, the employers and the people who are running the shops — the small business people — who have to make that major contribution towards paying the wages.

I was very disappointed to hear the Premier on the radio criticising the Cole royal commission. That commission, of course, is inquiring into the building industry here in the state of Victoria and the way the thugs from the Construction, Forestry, Mining and Energy Union have ruined an important and vital industry for Victoria. Daniel Grollo knows, Saizeriya knows, Kraft knows, GMH knows, Woolworths knows, Australia Post knows, Multiplex knows, MAB knows and every other building company in Victoria knows that the government will fall over for whatever the unions want it to do and will offer no protection whatsoever to the people out there who are trying to make an honest quid and, more importantly, employing people here in the state of Victoria.

The building unions have control over a very compliant government, and that will be the case for at least the next four years. But let me warn the government: the opposition will not be sitting over here idly, just allowing it to continue this ongoing disaster. We will raise the issue at every opportunity. The government's close association with the trade union movement will be exposed for all Victorians to see. Members on that side — the Guilty Party — are the ones who are holding Victoria to ransom, like their union mates are telling them to do. We have a problem with that, I can assure you. I just hope that the thugs who are holding this state to ransom will be made accountable by the Cole royal commission, and I also hope that when the time comes the government might start to understand the damage they have done here in Victoria.

I will talk a little about the electorate of Bass, which is a magnificent area. I had the great privilege to serve the area in my capacity as a member for South Eastern Province in the other place, and I enjoyed that time.

The electorate goes from Inverloch across to Cowes on Phillip Island in the south, and from Pakenham to Bunyip in the north. It represents one of Victoria's strongest tourism areas, with the penguins, the motorcycle grand prix and, of course, the disaster sitting down at Point Grant called Seal Rocks, which this government sent broke. Because of that the government cost the people of Victoria $60 million. Government members should hang their heads in shame, because they were employing people down there until the last minute. I heard the Premier on radio — —

Mr Honeywood — On a point of order, Mr Deputy Speaker, the addresses-in-reply of the mover and the seconder of this motion were heard in absolute silence by members on this side of the chamber. It behoves the honourable member for Werribee — —

Ms Gillett — Tarneit.

Mr Honeywood — It does the honourable member for Tarneit no good at all to continually interject on an inaugural speech. If she wants to play that game, we can play it too.

The DEPUTY SPEAKER — Order! It is customary that inaugural speeches be heard in silence within the chamber. I also remind the honourable member for Warrandyte that it is customary for a member to raise points of order from his own seat.

Mr SMITH — I was talking about Seal Rocks and the problems that have been caused down here. I have great concern for the people who were promised jobs there. Twice I heard the Premier on radio assure them that they would be picked up and that they would have employment after this problem occurred.

What has happened to these people? I heard the Minister for Community Services, the previous Minister for Environment and Conservation, say exactly the same thing. The promise is there, it is on the record; they cannot deny it. There are still people who have not got a job and who have not got any money. In fact, two of them that I know of have to sell their houses so they can live. They believed the Premier when he said at the time, 'You will have jobs'.

One would have thought that a Labor government would have had at least some interest in workers. It has just proven down at Seal Rocks that it does not. It is not prepared to stand up for those people. It was not prepared to say to the nature park board, 'Employ these people, get them to do something. Give them a job, and give them some salary'. They deserved it; they were all properly employed before this government took over. It is the Guilty Party, believe me!

Further into my electorate are the great farming pursuits that are carried on from Lang Lang and up and around the Pakenham area across to Bunyip — and of course there is a rapidly growing population around Pakenham. It is not growing as fast in Pakenham as it is in Cardinia. I think about 8 or 10 families per week are moving into the area. It is a problem keeping up the necessary infrastructure for those people so they are able to live a lifestyle that they deserve to live.

Great planning has gone on in that area, and the council is working extremely hard to ensure that the people have what is required to enable their area to grow. I had the great honour to be at the opening of their cultural centre the other night. It was fantastic to see a facility as good as that built in Pakenham.

It was wonderful. That is the sort of thing they are doing. They are looking for assistance. They are looking for funding from this government to be able to get a swimming pool over there. They are looking at this government to try to get some funding to build some further community facilities over there. Let us hope the government comes good because I am going to be here and I am going to be reminding the government that it has to look after the people in my electorate as well as looking after people in Labor electorates.

Bass came from the joining of two electorates in the last redivision, part of that being Gippsland West and the other part being Pakenham. I would like to speak of the honourable members who I replaced. Firstly, I would like to speak about the Honourable Rob Maclellan who served this Parliament well for in excess of 30 years. He particularly served well the people in the Pakenham area that he represented over that period of time. He was a master. I always gave him great credit. I think he was probably one of the smartest and most knowledgeable people and one of the great visionaries that we had in this Parliament. He is going to be missed from this Parliament for the advice and assistance he could give to people.

He is a great bloke. He is a former deputy leader of our party; he was a minister; and he was in fact probably one of the best members there was. He never in his time ignored his constituents. He always made time to meet with them, and not just of a weekday: he was happy to meet with them on a Saturday or a Sunday or at night time. Rob is going to be missed.

The other one, Susan Davies, took 20 minutes at the declaration of the poll to tell me and the people that were there how good she was and what a great job she had done over that period of time. I certainly could not do a better job talking about what Susan had done in the time she was here, so I will not say anything, because they say if you cannot say something nice about somebody, do not say it at all.

This government made a number of commitments through various ministers to things that were going to happen in the Pakenham area — things like the Pakenham bypass. We know this government has a history of being able to walk away from promises it makes. We know it talked about the Eastern Freeway. We know it talked about the Scoresby freeway. We know of the promises it made to the people before the 1999 election, and we know it walked away from those commitments that it gave to the people.

I can tell the government now — and I am pleased to see the Minister for Transport sitting here — do not think it is going to walk away from the Pakenham bypass. The minister should not think he can do that like he is walking out of the chamber now when things are getting a bit hot, because I am going to be here for some years and I am going to give government members a hard time until that is built. I am going to enjoy standing there when we cut the ribbon for the opening of that bypass.

An Honourable Member — The reckoning.

Mr SMITH — Yes, the reckoning. I am not here for my good looks, I can tell you that. I am here to give members on the other side a hard time, and that is what I am going to give them.

We talked about getting gas down into the Bass coast area and into areas around Leongatha and Korumburra. Here is an area that is so close to the Bassgas fields, yet it does have not natural gas. We have people down there paying 80 bucks and more for a bottle of gas. Some of the public housing units down there that were not built as well as they should have been because most of them were made out of concrete slabs and are freezing will use a bottle of gas a week during the winter months. It is crazy that we are so close to the source of the gas, yet we cannot get gas in. There is a Bassgas project that is going in where the gas is going up through Kilcunda to the processing plant at Lang Lang.

There is our great opportunity to be able to get that gas back into the area, to be able to allow the people in Inverloch, Wonthaggi, Cowes and Kilcunda — all of those areas — to be able to have gas, to have the same opportunities that most honourable members have to be able to promote their area for business and industry to come into it to create jobs. That is what it is all about — creating jobs for the people in my little patch of ground. I want to see that happen, and I am going to ensure that that happens. The Minister for Transport will not be the only one that I will be pursuing in regard to that.

I am sorry the Minister for Police and Emergency Services is not here. He has made commitments to a police station at Lang Lang, which I understand has actually started. I think they have started to level the ground off a little bit, but that was around the time he told the people that they were not going to build a police residence to go with that one-man police station, like they have done in other parts of Victoria. He said, 'All we are going to build is a police station that will only be manned for a few hours a day', when the people down in the Lang Lang area had some expectations that there would be a policeman around the corner when they needed him.

We are in a position where we need a new police station at Pakenham. That was another commitment that was made by the government. That was a commitment that was also made by the Liberal Party leading up to the last election.

Mr Wells interjected.

Mr SMITH — As my colleague the honourable member for Scoresby has just reminded me, it was no. 1 as far as we were concerned, being the most important police station to be replaced in the state of Victoria. It really needs to be done. We really need to have a 24-hour service down there. We really need to have that station manned, and manned properly, to look after a rapidly growing population in that area.

Can I also say to the government and to those honourable members who are in the chamber that Labor is into its second term. It cannot just turn around all the time and blame the Kennett government. We have heard tonight the arguments the government put forward that 'The Kennett government did this, the Kennett government did that'. What I am saying is that the party is over, boys and girls. It is all over. They should not think the government will be able to blame the former Liberal government for everything. They should not think it is going to get away with it because the people of Victoria know that Labor has been in government for three years. The people of Victoria know that the government has been making decisions for the last three years. The government talks about all the great things it has done. We are in a position where we know what the government has done, and it is not going to be able to blame us anymore for the problems it has.

The Treasurer was in here before, and he felt it necessary to give some opposition members, particularly the deputy leader, a bit of a spray across the table when the house was talking about the changes to the sessional orders. Can I say that the Treasurer really should not have been picking on our people. I had some experience with the Treasurer when he was a humble backbencher in the Legislative Council. And let me tell you that my colleague in that place, now the honourable member for Brighton in this house, had his measure. In fact a couple of times he did not even have the ability to finish his speech. And what did the then opposition do? It lifted him out of the upper house and brought him over here to take over the job as leader. He failed there too. He was not able to make it as leader. So the incoming Labor government put him in as Treasurer, and he had a very nice fat surplus when it won office.

They were in a great position, but the surplus has since been whittled away a fair bit and he has been living in a fool's paradise. He has had all of the money that has been coming in from gambling, speeding fines and stamp duty. All that glistens is not gold, and I can assure the Treasurer that before he is finished he is going to make it three in a row — failed in the upper house, failed as Leader of the Opposition and failed as Treasurer in the state of Victoria. I can tell you, Deputy Speaker, that this government is going to be held accountable from members on this side of the chamber.

I would like in closing to pass on my thanks to my electorate office staff — to Neville Goodwin and to the late Paula Bennett, one of my staff people who was an absolutely fantastic lady. Can I say to any of the members here, particularly the new members, make sure you have great staff, people who are strong in the community and who have a great understanding of what is happening in the community in which you work. Those two people I have mentioned — Neville and Paula — were fantastic at that.

They are responsible for my standing here today, but please do not ring Neville up tomorrow and blame him. Neville and Paula are responsible for my being here because we worked as a great team, and I can assure honourable members of that. I now have a new electorate officer because Paula passed away just before Christmas. I can tell honourable members that that took some of the wind out of our sails — from the joys of winning the election to plunging into the depths of despair and sadness at Paula's passing. It was very sad.

I also thank my campaign committee, whose members worked extremely hard for me not just in the lead-up to the election but also in the time I have been down in the Wonthaggi area. They worked extremely hard as a team, and I am very grateful to them. If I named them all I am sure that I would miss some, but I certainly say thank you to them.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! As the honourable member for Warrandyte said, it is customary to hear first speeches in silence.

Mr SMITH — The other issue I would like to raise is that as honourable members will know I have always taken a great interest in China, and we will be starting a Victoria-China parliamentary friendship group for the next four years so that we can work at the relationship between our two countries and make it strong. I say to honourable members who have not had much to do with China that we are in a position here where we have so many opportunities to develop business links with China. As members of Parliament we can go over there and be introduced to the highest levels of government and people in the business community. We can link those people together with members of our business community and our government to ensure that as Australians, and particularly as Victorians, we will be in a position to benefit from that strong relationship. That can be done with a group such as we have.

I finish by passing on a word of thanks to my wife, Dawn, who is celebrating her birthday today. Unfortunately I am up here having to give you lot a bit of a pull through, but I must say I have enjoyed it — and it is only the start, boys! I also pass on my thanks to my kids, Matt, Adam and Nick, and to their ladies and my magnificent and beautiful granddaughter, Ruby, who was a great support and inspiration to me in the campaign we ran.

I am looking forward to the next four years here. I look forward to the government's arrogance starting to show and to it starting to fall apart. I am looking forward to being one of the people who are going to kick Labor out of government so we can install a decent, proper government in power at the next election!

Mr RYAN (Leader of the National Party) — It is my pleasure to join the debate on the address-in-reply to the Governor's speech. I pay due regard to the Governor and Mrs Landy for the wonderful way in which they discharge their duties in the role that they fill for all Victorians.

I have had the great pleasure of being in the company of each of them on many occasions since the time of their appointment, and recently I had the pleasure of being at Leongatha with them, where at my invitation the Governor was good enough to come and open the 100th agricultural show. It was a very well-attended day, enjoyed by all, and was part of a three-day tour to South Gippsland where the Governor, in his usual fashion, absolutely charmed all in the district. Again I say that he discharges his duties superbly, and Mrs Landy is such an enormous assistance by ensuring that the important role for all Victorians is appropriately fulfilled.

It is also a pleasure to follow the inaugural speech of the honourable member for Bass. This house is steeped in the tradition of apolitical inaugural speeches. I am not quite sure just where it falls, but suffice it to say that for the purposes of a first speech in this place it was an inaugural speech. Of course in another sense it was not an inaugural speech in that the honourable member for Bass has come to this chamber from the other place. Therefore he no doubt saw himself as having a touch more freedom than normally applies to the traditions of making apolitical inaugural speeches. I make those comments so we can keep the high moral ground, as the Labor Party has about another 25 inaugural speeches to go!

I was present in the chamber when the Governor made his comments at the opening of the Parliament on Tuesday. I have with me a transcript of what he said, and I have had the opportunity to carefully review it. He started by making reference to the fires, and I want

to talk about issues relating to the fires and various aspects arising from them.

I suppose for a start I should establish my credentials in this discussion in the sense that the Treasurer saw fit today in question time in the course of answering a question to say that he had been to various locations where the fires had been fought. It is probably only appropriate therefore that I do likewise. I can tell the house that three or four weeks ago I went over to Myrtleford. I did so on the morning after that extraordinary tennis match when Younes El Aynaoui played Andy Roddick. We sat down at the tennis centre at about 8.00 p.m. on the Wednesday and got up from our seats at 1.15 a.m. on the Thursday. It was an absolutely remarkable sporting competition.

A few hours later I jumped in the car and drove to Myrtleford. I went to the Italian Club there, which is one of the staging points for the strike teams that were working up in the north-east at the time. It is run by a great guy by the name of John Williams. I said to him when I arrived there that I was just another pair of hands anxious to lend some assistance where I could, which meant I was immediately escorted into the kitchen. There I was introduced to the team who were doing fantastic work preparing the food and feeding the firefighters. I was drafted into their number, and standing there looking for what I might be able to do I was invited by Jenny, I think the lady's name was, to get into action. She said to me, as I recall, 'Come on, Darls, you can come over here and cook the eggs'. And I did, Mr Deputy Speaker; I did.

I went over and cooked the scrambled eggs and did a great job. They were terrific. Later that morning I graduated to the dishwasher and had the task of loading and unloading that for a couple of hours. The point of all this is that I had plenty of opportunity to have discussions with the people in that local vicinity and in other places because I stayed up there for a couple of days, during which time I went to Bright and Beechworth and Yackandandah and various other places around the immediate area.

I have subsequently been up to Bruthen and to Omeo, to Benambra and back over to Anglers Rest. On another couple of days I went up through Buchan and stayed at Gelantipy overnight one night, then went up to Seldom Seen — and I will come back to that wonderful little establishment later — and to Wulgulmerang and eventually up to Black Mountain. On another trip I flew over to Delegate and eventually drove back to Bonang, to Tubbut and to Dellicknora, and I have also been around the fires at Willung, just south of Sale, where about 8000 hectares were burnt out. Really, in context, that is about the size of a camp fire, but by the same token it produced enormous difficulties for the crews involved in the fighting of it.

The point of all this is that I have spent literally hours and hours talking to different people, mixing on the ground with people who have been affected by the fires or who were assisting those who were fighting the fires, people who have been defending their own properties, people who have been in small businesses devastated by the effect of people not coming to their areas — any and all who have been the subject of what has happened in the devastation we have seen wrought across the state over these past few weeks. Truly, you have to see it to believe it. I suppose the worst areas I saw were on the road heading up from Bruthen on the Snowy River road, eventually going up to Black Mountain.

I did not go up as far as Suggan Buggan, although the Honourable Peter Hall, my colleague in the upper house, did so on another trip, and I know Peter McGauran has also been roaming around in that area as well. I know the honourable member for Gippsland East has been in various locations and the Honourable Phil Davis, a member in the other place, has also been through the area. But to see it is absolutely extraordinary.

Mr Baillieu — Denis and Ian went to fight the fires.

Mr RYAN — And Denis — no, not in Gippsland he hasn't, has he?

Dr Napthine — Yes.

Mr RYAN — Where were you?

Dr Napthine — Swifts Creek.

Mr RYAN — Well done, mate. I am remiss. It has only now come to my attention that the honourable member for South-West Coast was involved in fighting the fires at Swifts Creek, and if the honourable member for Narracan — and I accept the assurance that he was — was fighting fires somewhere or other, then I congratulate him upon having done so.

To see it is to believe it. It is absolutely staggering to see the extent of the devastation that has been wrought in various places. There is a spot as you make your way up the Snowy River Road, a place called Boundary Creek, and another similar spot only a couple of kilometres up the road at Seldom Seen Creek where the devastation is nothing less than amazing. You have tens of thousands of these trees that are standing there now just absolutely blackened with no crown on them, as a sort of silent testament to what has gone through this

place as it did. It is an amazing sight. And on the ground there is nothing. There is no growth on the ground. It is absolutely bare. When you go to different spots where you can look out from the high ground and see the surrounding country, it is burnt for as far as the eye can see. It is truly extraordinary.

The people who are involved are, as I say, amazing — those firefighters and what they have done! We owe them a debt of gratitude that surely can never be repaid. The fact that we have not lost a life is nothing less than a miracle. Many of the people I have met — and I am not going to talk about all the people here, because I am conscious that time is on the wing — do deserve to be talked about. However, naming names is always a problem. You invariably leave people out, but it is this style of person that I think will eventually feature in the stories of heroism and bravery and the commitment people have made.

I instance Paul and Judy Sykes, who run Koorunda, which is the facility up at Gelantipy that was also used as a staging point. They have at different times had one or two strike teams there, and as honourable members would know, a strike team is five fire trucks and 25 firefighters from the Country Fire Authority. They are aided by people from the Department of Sustainability and Environment, and they have been just fantastic in their local community. They have done superb work. It was in fact on Thursday, 30 January, that things went very much awry up in East Gippsland. The expectation was that the fire would not come through until the following Monday, but on that Thursday morning Paul Sykes was suspicious of the fact that the fire had crossed over into the bottom of the Buchan Valley, and he went up to Mount Seldom Seen. It is a mount by our standards — it is about 4300 feet — and from the top of it he could see down to the bottom end of the Buchan Valley. It is something rising on 30 kilometres away. That was in the early hours, round about 9.30 that morning.

The wind was howling to the point where, he told me, he had to hold onto a tree on the top of the mountain to keep himself upright. The fact is that within 3 hours that fire went those 30 kilometres — the whole length of the Buchan Valley, stripping it clear. The only thing that is left when you stand up there, as I did the other day, and look over the edge is this vast vista of what remains of the trees, with absolutely nothing around them.

The damage is staggering: whole trees, 70 or 80 metres or more in height, have been pulled out by the roots or lifted bodily out of the ground by the firestorm. As they have gone through, the fireballs have flattened other areas of trees just in serried ranks. When you stand on top of the hill and look at the crowns of some of the trees there, you can see that the branches at their end have been curled back as if they have been treated with a curling wand. They have been petrified in time. It is the most amazing sight.

We were up there on a day last week or the week before when there was no wind. The absolute silence was astounding. It was completely quiet — no animals, no birds, absolutely nothing, just an eerie stillness. It is reflective of the way the fire has gone through the area and the damage it has done in doing so.

I met an extraordinary lady by the name of Sally Moon who is just that — an amazing person. It is a humbling experience to sit in the kitchen of her home and have her talk about what happened in the middle of that Thursday, 30 January. She and her husband, Gordon, live at that property with their two children. They knew by about midday that they were going to be in trouble and started rounding up stock. Without going through the whole tale, by mid-afternoon, when the fire was right on them and they had the sight of fireballs coming through the sky at them, they got to the point where Gordon eventually had to say to his wife, 'We have to leave the house'.

Their house is built on the side of a hill, with an excavation underneath it. They were able to shelter under their house as the fire came upon them. Gordon and Sally were there with their two children and a friend, who helped them fight the fire for about $1^{1}/_{4}$ hours in the company of their 15 farm dogs, 2 of which they have to tie up because they fight.

They had enough water to keep themselves going. Sally told me that the force associated with the fire was so fierce that she had to back up to the door to stop it being blown open. Within about 15 minutes of the fire striking the power went out. They had an hour under their house in those circumstances, while this monster railed around them. It is truly amazing to hear that lady's story.

A guy at a nearby farm is named Buff Rogers. He featured years ago because he had the temerity to illegally, as it was subsequently found, back-burn about 2000 acres. He was charged and fined, I think, a couple of thousand dollars. You would have to say that that issue will need to be dealt with in time to come, because it is one of the things that will come out of all this.

Peter and Dianne Moon suffered enormous losses of stock and property. I spoke with them briefly in the

driveway of their home. The man is absolutely traumatised by what has happened. He and Dianne have been married for less than 12 months. They have lost if not everything then nearly everything. This is not an issue where insurance will prevail and all will be made good and put back together again, because the stock in particular cannot be replaced. They included decades of breeding in some instances.

They had a fire plan. They had decided that before the fire was upon them but as it was coming they would actually jump into their underground water tank, which holds a couple of thousand gallons. Its top has concrete across it, but with a hole in its centre through which they could jump to get themselves into their shoulder-deep water. They thought they would be right.

They did that, but after being there for a while they started to sense a tingling sensation through the water. One of the outbuildings — I think it was the woolshed, but I stand to be corrected — had burnt down as the fire went through. The power cables had dropped off the shed and landed on the outside of the water tank. They were getting an electric shock through the water. With all the rest of the fire happening they had to get out of their sanctuary. Fortunately they were able to get out alive.

They are but some of the stories. Different people have different versions, and we will hear about them for a long time to come. I come back to the fact that these firefighters have done a fantastic job. The people who support them have done likewise — the Country Fire Authority, the Department of Sustainability and Environment and all the emergency services in their different forms.

That includes the contractors who have been seconded to it. What will happen in time to come if the timber industry continues to be destroyed, which is the path that has been followed over particularly the past three years? The Otways is celebrated in the Governor's speech as being an area where new national parks will be created. The timber industry is going to be decimated. You wonder what will happen when inevitably there will be a fire event. Who is going to be there to fight it when it happens?

The volunteer supporters in all their forms and the property owners have had to suffer some dreadful agonies. A guy I met near Bownang — and I emphasise that this was an agreed course of action — had to have about 500 acres of his own land back-burned to take it to where the fire would inevitably come. Another lady whose property I went to had 1000 acres of pasture — a lot of it improved pasture — that had been back-burned to try to stem the fire that was coming at them. It is a miracle that there were no deaths as a result of the fires.

While I am making reference to those who have done a fantastic job I will mention the ABC. In Gippsland and across country Victoria the ABC has done an absolutely sterling job. On Australia Day, when Omeo was under assault by the fires, Mark De Bono, who is one of the reporters at the Sale office of the ABC, was on the scene. As I travelled around the different functions on that day, as I am sure we all did on Australia Day — having my first sausage at about 8 o'clock in the morning and having the last one at about 6.00 p.m., with various ports of call in between — Mark was reporting from Omeo that that town was at risk that day of being burned again, as happened only a few decades ago.

It was the most compelling reporting that one would ever want to hear. He and the team he had with him, including Kelly Wilson and others, did an absolutely fabulous job. When I was in the north-east I similarly found that the ABC in that area and in the different areas which reported as time went by and which are continuing to do so also did a great job. I think it would not be possible to afford them too many plaudits.

We are still fighting the fires. There is a story that the fires are out. That is a myth; that is not the case. Yes, we have had some rain, but one of the great ironies for those fighting the fires is that even if they do not get enough rain to put the fires out, the rain stops back-burning and makes it very difficult for the machines to work in the steep country. We are not out of it by any stretch. The fires are still out there, perhaps to a lesser degree — but they are still there.

The other aspect is that we are starting to move into recovery mode. In terms of the first issue, and I want to address these two issues individually — that is, fighting the fires which are still going on, and the whole attempt at fighting fires — I believe it is imperative that we eventually have an independent inquiry. The state of Victoria has to have the courage to set up an independent inquiry and be prepared to have the difficult questions answered.

I assure the house that there are a great number of people across country Victoria who want to come and have their say. I say again, and I emphasise it — and I will be unremittingly right throughout all this — that the firefighters have done an absolutely fantastic job. However, issues particularly relating to fuel reduction burning need to be examined. We have to learn the lessons. I saw a lot of instances in the course of my travels across those areas, and people pointed them out

to me, where some reduction burning had been done and that had saved them. Sally Moon, whom I have already described, ascribes the saving of her house — which they found out when they emerged from their bunker — to the further fact that in about October last year she did a relatively limited back-burn on the house block in the immediate vicinity of their home.

It saved them. When you stand there and look at it now the trees are crowned, the crown has not been burnt out from them. The heat in the fire has not been nearly as intense.

As you go back down that Snowy River Road there is an area of about 50 acres which was burnt late last year and similarly, even though the fire was as its most intense through there, in all those areas the trees have retained their crown. These are the sorts of things that I know people want to talk about.

I have today moved a motion by leave to set up an inquiry. The government has refused to debate that motion, and I must say I find that particularly disappointing. The Premier, when asked about it in question time today, kept saying, 'Oh well, we are still fighting the fires'. I wrote to the Premier three weeks ago plus a bit more saying to him that I was going to move the motion that I have moved here today and giving him the terms of reference, which are essentially represented in that motion I moved. As I stand here tonight addressing this Parliament I have not had a response from the Premier in any way, shape or form. I have had nothing from him. I do not believe that is good enough.

In the end the government is going to have to commit itself to the fact that an independent inquiry must be conducted. I am the first to say, Mr Deputy Speaker, that governments do not like inquiries, particularly independent inquiries, because they cannot control the outcome.

Ms Allan interjected.

Mr RYAN — I am very aware of what the realities are, and it is no good the new minister sitting at the table sounding all innocent about it. This is the pragmatics of politics — I recognise that fact — but this government is going to be tested on this issue by country Victorians. They are not going to let this go. They want an independent inquiry conducted, and I hope the government sees fit to commit to it in due course once the fires are out.

The second aspect of the issue is in relation to the recovery effort. The recovery effort is, of course, under way in various places now. I say this with deliberation: I do not believe that the state government of Victoria has done nearly enough on behalf of those people who are trying to recover from the horror of these fires. It has not done nearly enough, and I want to run through a couple of aspects of why that is so.

The government was slow to react in the first instance. I do not know who was advising the government internally but there was no recognition from it, certainly not in an East Gippsland sense, that the difficulties and the extent of the problems we have are as bad as they are. It took far too long to react. Certainly in north-eastern Victoria the whole of the government, as I understand it, went to Beechworth and spent a couple of days up there. I think that is commendable. It was a darned good thing to do because the people there no doubt got a lift out of it, and I hope the government members left absolute bucket loads of their own money. But even when advertisements were being placed encouraging people to go and tour over in beautiful north-eastern Victoria, East Gippsland did not feature.

Ms Allan interjected.

Mr RYAN — It was not mentioned.

Ms Allan interjected.

Mr RYAN — I hear the Minister for Education Services, who is at the table, say it was still under threat. Let me address that issue for a moment, because I think it should be addressed. On the night of 11 February I was up at Gelantipy. I mention that night because it was the evening of the day when the Treasurer of the state of Victoria was on ABC radio explaining why he had not earlier been to East Gippsland. He was telling the world that he could not get up there because it was not safe to be there.

That was very interesting commentary in the context, and the context was that I was standing at the back of that place called Karoonda that I have already described as the staging point for some of the firefighters. They had heard it, and they were just in hysterics. They thought it was an absolute hoot. You see, parked about 30 feet from us was an Oz Experience bus. You know, one of those big coloured buses in which young people from around the world can buy a ticket and get on and off it and just tour as they like. The Oz Experience bus was up at Gelantipy the night I was staying there, which was the evening of the day the Treasurer of Victoria was saying he could not get permission to go up and have a look at where the fires were. He only needed to have asked, and we could have got him a seat in the back of the Oz Experience bus!

There were lots of other options. He could have gone up with one of the trucks that were taking up there hay donated by people who are generous enough to provide it. I am sure one of them would have taken him up. He could have gone up with the lady who is doing the mail run every other day. Some days she has not being able to do it because people have told her that it was not the day to go, but she has been going up there every other day, no problem at all. Our big brave Treasurer could, I am sure, have got a seat in the mail run with the lady who delivers the mail. I will tell you what, even I would have given him a ride in my car. How is that for an offer?

Ms Allan interjected.

Mr RYAN — The question is put to me across the table by a new and very naive minister, 'You didn't fly?'. The answer is no, I did not fly. I got in the car and I drove up there through it. I stopped and talked to the people who have had to wear this. I did not fly in for 5 minutes and fly out again, and I did not pick a special group that I would specifically talk to. I did it properly — and at all the other places I did it properly; all right?

On that day you had the Treasurer of the state saying what he was saying on radio and people will remember that. They will remember what he did and what he did not do up in East Gippsland.

I said I would come back to Seldom Seen. I do not mean to trivialise the issues, but I must say that the Treasurer of Victoria has seldom been seen at Seldom Seen. He could have been seen at Seldom Seen, and he should have been seen at Seldom Seen, but to my knowledge, at least recently, he has never been seen at Seldom Seen. They would love to see him at Seldom Seen if he wants to take the trouble to go up there and have a look. The same applies to all government members. I think it would be a great idea for them to go up there have a look first hand at the devastation these people are having to accommodate.

I say the government failed to see the urgency of the situation. Let us have a look at some examples. We have stock up there that are at threat of starving. I put to the Minister for Environment today in question time the question I put to him about three weeks ago when I made a call to the government to open up some of the game reserves. I live in Sale and within limited driving distance of it there is Dowds Morass, the Sale Common and Jack Smith's Lake, as it is colloquially known, although there is no water in it at the moment. At all of these places and others the feed is so prolific that if you put 5000 head in there you would not find them. That would serve the double purpose of reducing the risk that a lot of these areas have had to suffer through being burnt out.

It would be a very good option. The minister was standing here today telling me that he does not think it is feasible, or he does not think there is enough feed or whatever. Within the last week I drove around the nearest area to Sale, but what is the government's answer? 'The task force is considering it!' We have stock up there now that need to be fed. They are 4 hours away by truck from these locations and could go there, and that ought to be done. It is not a chequebook solution. This could be done straightaway, and I urge the government to do it.

We have the issue of fencing. It is no good saying that the task force will have a look at this. I heard the Treasurer say it is going to release the report on Friday. I would prefer it to be released when Parliament is on, so we can all have a look at it and talk about it.

We have to replace about 3000 kilometres of fencing that has been burnt out at $6000, $7000 or $8000 a kilometre, depending on the territory in which it is located. How are we, as a matter of sheer logistics, going to replace this fencing? What the farmers want to know is why they should have to bear the whole of the cost of replacing fencing that is immediately adjacent to the national parks where for the main part these fires started, because at the moment that is what they are faced with. Someone has to give them an answer to this, for heaven's sake. We need the government to react to this. For example, you cannot hope that up in Omeo and in those parts in East Gippsland where about 1500 kilometres of fencing have been lost these people are somehow themselves going to manage to handle all of this. It is inconceivable to me.

The government has a part to play in this, and that is what it should do. I know it did it in Stawell in a financial sense, but that is only one part of it. I am talking about the sheer logistics of organising it. How do you get the thousands of fence posts and droppers and the kilometres of wire — all these practical issues? The government is still considering it through the task force. In the meantime we have stock wandering around on the roads up there, and the government will not react to it. People are savage about it, I can assure the house.

I raised various other issues in a recent press release. The opening of the game reserves was one thing, and the extension of the drought assistance packages — the ones we have had running in northern Victoria. To its credit the government eventually got those going —

$20 000 each — and it has spent about $24 million on them with an average of about $17 500 each. Make them available. I know times are tough. Make them available.

Mr Nardella — They will be made available.

Mr RYAN — It is no good saying they will be made available. They should have been available two or three weeks ago. The government of Victoria, which clearly has the first obligation in this, should have been reacting in a way which reflects the urgency of the situation facing these people.

We called for discretionary funding of some $500 000 to be given to each of the Alpine, Indigo, Towong and East Gippsland shires. At least we got $50 000 out of the government as some part of the contribution. There are those and various other matters to which the government really needs to react to enable an appropriate recovery to be made by those afflicted by these fires.

The fires have pushed the drought issues off the front page. Fortunately we have had some good rainfall in a lot of Victoria. Hopefully it will have been enough to break the drought or make a hole in it for some time to come. After a slow start the government has done pretty well in giving these people a hand. Over these past months I have spoken with a lot of them throughout the northern parts of the state, up in the Goulburn system in particular, but also across in the north-west. Let us hope that with a bit more time we will have the good fortune to get those extra follow-up rains and we can get people back on their feet properly.

In the midst of it all, though, when otherwise doing some good work for these people, why did the government make that niggardly move to shut down the packages on the day after emergency concessions were granted to the Goulburn dairy farmers? It was a stupid thing to do. I am pleased to see that the government relented, because a lot of people had already spent money on accountants and filled out forms and were part way through the process. Certainly the days were extended by the Minister for Agriculture. It was a sensible thing to do.

An Honourable Member — By three days!

Mr RYAN — By three days? Well, it was better than the nothing that we had already. In Gippsland it is still very dry. I have asked the Minister for Environment if he would authorise the release of 20 000 megalitres out of the Thomson. Gippslanders to this day feel dirty on the construction of the Thomson Dam; they reckon they have been robbed. I emphasise that that is under governments of all persuasions.

Some years ago when we were troubled by drought I was able to negotiate the release of 10 000 megalitres, for which farmers paid $100 a megalitre, and it made a big difference. I have now called on the minister to authorise the release of 20 000 megalitres. The farmers are prepared to pay a commercial price for it, but get that water going down the Thomson very soon because in the Macalister irrigation district 650 farmers out of about 900 or 950 are either out of water or on their last watering. Another week or two and that will be it for them, and of course the season does not finish until about mid-May, so now is the time for urgent action. The Thomson now has about 50 000 megalitres in it — honestly, Melburnians would not miss the 20 000 megalitres — and if the minister would act now it would make an enormous difference to the farmers in the district as well as all the communities around the area.

These people, like others around the state, are contending with very high feed costs and the dairy prices are down, so there are issues there they are having to battle anyway. There is an opportunity here for the government to assist.

I want to refer quickly to the Governor's speech, but the one I want to refer to is the speech of 3 November 1999, because it is instructive in terms of this government. I am only going to flick through it because the hour grows late. Some of the issues that were discussed by the Governor on 3 November 1999 were the initiatives the new government of the time was going to pursue. They are worth examining in the light of where we are today. They are: establishing the Regional Infrastructure Development Fund — that was a good move — —

Ms Allan interjected.

Mr RYAN — I hear the myth being tossed about. You have not done too well tonight; I would stay out of it if I were you!

In fact we never opposed that legislation, as the record shows, never ever. We moved two amendments which were opposed by the government and we did not persist with them, and the legislation was supported by us and passed. So the legislation passed in its entirety; it was never going to be a problem.

The fund was $170 million. From memory, I think $120 million of it was spent, maybe $130 million. The question is what has happened to the other $30 million or $40 million? What is our Treasurer going to do with

the money he did not spend out of the $170 million? Because of this campaign the government has rolled in a new $180 million fund, but over five years. Part of it has gone into one of the many areas where the government blatantly pinched National Party policy. It established a specialist gas fund and put $70 million into it. With all the gyrations of the numbers it will be interesting to see how it pans out as we follow over the next little while the intricacies of that original $170 million and where the money has gone. The old pea and thimble trick beckons!

Then we have this great paragraph, and although it is a bit late I have to read it out. This is about fast rail:

> The government has an innovative transport plan to link the state's regional cities and towns with Melbourne through the provision of affordable and safe transport routes. It will arrange for feasibility studies on a number of major improvements.

So far, so good, Deputy Speaker!

> Working in partnership with the private sector —

oh, oh! —

> the government will contribute $20 million for a rapid transit link from Melbourne to the airport and $20 million for a fast rail link to Geelong.

Oh dear! This was on 3 November 1999. The fast rail link to the airport — very sorry, no appearance, Your Worship. It hit the wall. I do not know how much money went down the hole on that one, but it did. Then, of course, we had the $20 million for a fast rail link to Geelong. I will come back to the money in a moment. The speech goes on to state:

> These initiatives will cut travel times to 15 minutes from the airport to Melbourne —

oh dear! —

> and 45 minutes from Melbourne to Geelong.
>
> The government will also contribute $20 million for a fast rail upgrade to Bendigo —

wait for it —

> aiming for an 80-minute link to Melbourne. The government will also contribute $15 million to upgrade the Traralgon line and $25 million for a fast rail link to Ballarat — cutting travel time to under 60 minutes.

Where are we with these fast rail links? It depends on which version you pick. I think that it is generally accepted that what emerged was it became an $810 million project, with $550 million of public money and $260 million from the private sector. That was the plan. Unfortunately the private sector looked at it and decided that it would not work, so not a cracker turned up. All the times I asked the Minister for Transport in this chamber about where he would get this private sector money, he said that there was no problem in getting the private sector money, but not a zack, absolutely nothing turned up. We have $550 million of public money being put into this and we will end up with slightly faster trains. We will have the trains ordered under the contract when the privatisation occurred under the previous government, which is a very good thing. The travel times will be marginally better and a helluva lot of public money will go down the hole. That is what the Governor's speech said on 3 November 1999.

The Governor's speech talks about rail standardisation. It says:

> The government is committed to driving that new growth and new prosperity beyond Victoria's provincial cities and into all of country Victoria by contributing $40 million to the standardisation of the rural freight network from the Regional Infrastructure Development Fund.

Honourable members interjecting.

Mr RYAN — How much rail standardisation have we had? Not a lot. That is a 'watch this space'. There is also a reference to returning common-law rights — —

Mr Nardella — Tell us about the Mildura railway line.

Mr RYAN — No, I will get the honourable member for Mildura to tell you about that. Common-law rights were supposed to be returned. Even the union movement know that was wool over the eyes. How many serious injury certificates have been issued under this new common-law regime? If it is more than 25, I would be surprised. I might be wrong, but I would be surprised. There has been no return of common-law rights. It is a complete fiction.

The government said it would introduce industrial manslaughter legislation. That did not make the cut, either. It will be interesting to see if the government reintroduces it now that it has the numbers.

Mr Nardella interjected.

Mr RYAN — You bet we opposed it, and we will oppose it next time too. The government said that it would have five heroin injecting rooms. I do not know what happened to that policy. What did happen to that policy of the Labor government?

Honourable members interjecting.

Mr RYAN — Yes, we did oppose it. The government had such faith in its policy that it abandoned it because it got a bit twitchy before the election knowing that people did not want the stupid things and it was at risk of losing votes, so in typical fashion, because it looked like it would cost Labor a few votes it abandoned that policy. The government knocked over the prospect of building a dam on the Mitchell River, as is its right. As a matter of passing interest, about six weeks ago all irrigation from the Mitchell River ceased. They cannot pump irrigation water, which means that all the industry in that area is being put under a heck of a lot of pressure with literally hundreds of jobs at stake.

Last but not least the Governor's speech states:

> The government will also act immediately to start negotiations with the Australian Football League to explore all feasible options to retain Waverley park as an AFL venue.

That is what happened in 1999. The current Governor's speech features many of the same things. He talks about firefighting. There is a section on stronger regions. It nominates a series of issues that would bear very close scrutiny, and we will be doing that over the coming months. I ask honourable members to read page 8 of the *Daily Hansard* of the Legislative Council reporting the Governor's speech, where they will see a number of areas which have a remarkable resemblance to the promises made on 3 November 1999.

There is talk about the Otways and this brand new park. For the life of me I still do not understand why it was for this wonderful initiative, this thing that is of such quintessential importance to Victorians — the creation of this new national park in an area of magnificence — that in the second week of an election campaign the Premier suddenly tore down to the Otways to make the announcement that, no. 1, he was going to destroy the timber industry, and no. 2, that we would have this national park created. Of course the answer is he saw the value in the votes from the Greens, and they were ultimately duly delivered, but I fear for the future of that area because one of the great industries will be destroyed.

There are many other areas around the state that I could refer to, but I will not. I will finish with a brief discussion in relation to my own electorate. I have the great good fortune to represent the best electorate in the Legislative Assembly of Victoria — Gippsland South. It has been my great pride to represent it for a bit over 10 years. It features a huge dairy industry, and the industry statewide faces a big challenge with what happens between Murray Goulburn and Bonlac. In the end we need an outcome that is in the best interests of suppliers, because this massive industry, which drives a lot of Victoria's fortunes, is dependent upon a good outcome in that regard.

Honourable members may not know that together with New Zealand, Australia represents only 3 per cent of the world's production of milk, but it has 50 per cent of the world's international trade, and these two big players are essential to us since Victoria produces around 68 per cent of the nation's milk. It is an important issue. We need the extra water, and I have referred to that. We continue to be a major producer of oil and gas, and with the completion of the East Coast pipeline we are now supplying Sydney out of the Longford Basin and supplying Tasmania. We have natural gas in huge quantities.

As I have said, the government is making huge promises about natural gas, having hijacked the National Party policy. I endorse the comments of the honourable member for Bass, who said that we need it desperately in South Gippsland, and I am sure it will be productive for much development in the region when we eventually have natural gas connected.

Yarram is still living under the threat of the closure of the prison. With no further ado in the budget a couple of years ago the government announced it would close the prison. It established one of these task forces — they are rippers, these task forces — which would solve it all by creating new jobs. I stand here tonight and say that not a single new job of any type has been created over the intervening two years. It is typically mickey mouse from this government. Nevertheless we are facing the loss of 40 direct jobs and the same number of indirect jobs out of a town of 1800 people. It is a tragedy.

There is a significant issue about the water levels of the aquifer and offshore subsidence issues that have been raised over a number of years. I have written to the Minister for Environment to see if we can have a public gathering to wrestle those things to the floor. At Foster we have half the secondary college rebuild done. That was approved by the former government, but to its credit the current government put up the money for the first half and we now need the money for the second half. Foster is a strong town and a great place. It is one of the gateways to Wilsons Promontory and is a beautiful town. I had the pleasure of being at the show last Saturday when it was opened. They have had a reasonable season in the area, so there is a spring in the step down Foster way. The other little towns such as Toora, Fish Creek and Yanakie leading into the Prom are great areas for tourism, with development of the rail

trail going well, so I think the future is positive for those locations.

There is a problem with wind farm development. This government has completely made a mess of the regulatory aspects of the wind farm development. It has completely botched the planning arrangements. We now have neighbour against neighbour, with public meetings being held and the ticket for the local government elections based around who favours wind farms and who is opposed to them. That is an absolute tragedy in circumstances where we could have had a real winner of an industry for the region, yet we have this problem.

We have the issue of the toxic dump — —

Ms Duncan interjected.

Mr RYAN — I am told from the back bench of the Labor Party that that is what you call democracy. I am prepared to take the judgment of the honourable member who offered that bit of wisdom. The government is persisting with the toxic dump at Dutson Downs. For those on the government benches who do not know, this is the toxic dump they are proposing to establish. Initially it is to be a soil recycling activity which will take about 35 per cent of the waste, but Gippslanders and I are interested in the other 65 per cent.

This is going to be located at Dutson Downs, immediately adjacent to the magnificence of the Gippsland Lakes. As I have said several times in this place, it will be near the bombing range. I want to assure the house once again that the Royal Australian Air Force (RAAF) bomber pilots who fly from East Sale and practice at Dutson Downs are very good — they hit the target almost every time. When this soil recycling facility cum toxic waste dump is eventually built there, as this government seems bent upon, I am sure it will be the subject of much interest. I hate to think what is going to be painted on the roof — I hope it is not a target.

In addition, we have issues around Sale. The extension of the RAAF base is a big thing. We need extra help from the government to make sure that the Nylex factory is extended. A great civic centre is being built — with the assistance of a $2 million grant from the current government. That grant was approved by the former government and, to its credit, the current government has continued to make that money available.

Over at Leongatha, after a year of fighting the government eventually conceded and caved in, and we are on the list to get a new police station. Despite the Minister for Police and Emergency Services standing here time and again telling me that we would not get it, we are going to get it. There are various issues there.

Last but not least, Korumburra. It is a great town, a strong town. Under the redistribution Nyora, Loch and Bena are all places that came into the electorate I represent. We want that natural gas. Burra Foods is a great business. The industrial estate is one of the great strengths of the area. I think there is a strong future there for Korumburra.

We are looking at a deep sea port that is advancing very well in its development down near Welshpool. It will be a great addition to the area. Tourism-wise we are looking good. I tell you, Mr Deputy Speaker, get in early, because this could be the Riviera of the south. This is going to be something else around those lovely port areas.

The only blot on the horizon is the Basslink pylons. With the limited time available to me I will simply refer honourable members to my previous contributions on that matter. However, I must say that had the fires that recently went through Willung gone through at a time when this Basslink structure had been built, there would have been a very serious risk of extensive damage to the Basslink cable — which is yet another reason it should be undergrounded.

Last but not least I wish to thank the supporters of the Vic Nats. I want to thank all those people out there who backed the National Party at the last election. All the doomsayers, all the people who said we were gone, all the people who said we were finished should look at us now. We have the honourable member for Benalla — isn't it great to see him elected? Isn't it wonderful? I want to thank all the constituents of Benalla for electing him. I want to wish the former member for Benalla well. I understand that she has now joined the payroll of the Minister for State and Regional Development as an adviser of some sort, shape or kind. With the best will in the world, I wish her well, she is a decent lady. However, I am delighted to have Bill Sykes as the honourable member for Benalla sitting here.

The honourable member for Swan Hill, Peter Walsh, will do a fantastic job when he eventually gets the chance to make his maiden speech, which he was going to do tonight until I rudely interrupted him. Of course, we also have the honourable member for Shepparton, Jeanette Powell, who has come to this place after being in the Legislative Council for some six years.

They join the honourable members for Murray Valley, Rodney and Lowan. What a spectacular success that was! All the portents of doom were out for the honourable member for Lowan, and he topped the lot for us. What a great player!

We are delighted to be back better than ever in the Assembly of recent times. I can assure you, Deputy Speaker, that we will be looking to keep the government honest all through — 7 of us and 62 of them is about the right odds, I reckon. The other important thing we are going to do is keep promoting what a fantastic place country Victoria is to be.

Debate adjourned on motion of Mr ANDREWS (Mulgrave).

Debate adjourned until next day.

Remaining business postponed on motion of Ms ALLAN (Minister for Education Services).

ADJOURNMENT

Ms ALLAN (Minister for Education Services) — I move:

That the house do now adjourn.

Hampton Rehabilitation Hospital: hydrotherapy pool

Ms ASHER (Brighton) — The issue I wish to raise for the Minister for Health is in relation to the Hampton Rehabilitation Hospital in my electorate and specifically the hydrotherapy pool. The action I am seeking from the minister is that she ensures hydrotherapy services are available for the Brighton–Hampton area, notwithstanding changes the government may wish to make.

The fundamental issue here which makes this pool different from others is that community money went into the establishment of this pool. The pool is old, I understand that, and the changing rooms are also old. I understand the government wishes to dispose of the site. It will bring a fair price, I would assume, given the location of the land. The ideal situation for my constituents and users of the hydrotherapy pool would be for the pool to continue operating. I ask the minister to provide any advice to the house as to whether it is possible to excise the pool from the land, although I understand that this may not be possible. However, I seek the assurance of the Minister for Health that local facilities will be provided, especially given the fact that local funding went into the pool in the first instance.

My constituents, as clients of this service, unfortunately have been advised that there is a facility in Dandenong. I am unsure if the operators of this facility understand that Brighton is a long way from Dandenong, and I think it is completely unreasonable to ask people who reside in Brighton and Hampton to use a facility in Dandenong.

I am aware that there are a number of non-bayside users of the pool, but obviously it is those people who are my constituents who are of key interest to me. Many of them are elderly and some of them have been injured. Clearly these people are in need of services, and given the demographic of these people and that many of them are frail and/or recovering from injuries, it is an unreasonable expectation to ask them to travel to Dandenong — or indeed, to ask them to travel too far at all.

Should the government proceed with the sale of the Hampton Rehabilitation Hospital site, I also ask that the minister allocate the relevant proportion of that money to new local facilities. I understand the previous Minister for Health had some sympathy for that view, and indeed had written to me to that effect. I understand that inpatients and outpatients are transported to Dandenong. I would urge the minister to consider possible equivalent transportation for the hydro-only groups and self-help groups that use the pool.

I am aware of a well-advanced proposal to build a new hydrotherapy pool at the Kingston Centre. Again I would point out to the minister that it is not easy for my constituents to get to that centre and that she may wish to factor in the issue of transportation. I would urge her to consider local facilities for local people and would request that she consider this request for my constituents seriously.

Schools: Macedon

Ms DUNCAN (Macedon) — The matter I wish to raise is for the Minister for Education Services. It concerns the very high level of school construction works which are currently occurring in my electorate and, I might say, which have been occurring in my electorate over the past three years. I ask that the minister take whatever action is necessary to ensure that these projects are completed on time so that the schools and their communities can make the necessary preparations to occupy these facilities.

In particular, I raise the following schools for the minister's attention, where in some instances construction projects have been announced and committed to and some have been commenced. The

schools that I raise for her attention are: Macedon Primary School, Sunbury West Primary School, Sunbury Secondary College and Gisborne Secondary College. I will just say that in the case of Gisborne Secondary College and Sunbury Secondary College these are part 2 works that have been commenced under the government's previous term, and what a thrill it is to see schools like Sunbury Secondary College, which I do not think have had any works done to them for the last 30-odd years, actually starting to receive the attention they deserve.

In my electorate schools have already benefited from the Bracks government's massive investment in education, in both infrastructure and staffing. That is in direct contrast to the previous government, which was intent on closing down schools, increasing class sizes, cutting teacher numbers and putting them on short-term contracts, giving them absolutely no security whatsoever and under which schools competed with each other rather than cooperated with each other. What a great day it is now that we have turned that entire philosophy on its head and we are seeing from the Bracks government education as a priority, where it has been investing for the last three years and is now reinvesting in education.

Unlike the previous Kennett government, which closed schools down and left others to rot, the Bracks government clearly understands the priority that education is and needs to be. We understand that good school facilities are vital to successful learning, as is the enormous investment in school staff. I also understand the government is committed to providing communities in Victoria — the public — with a greater capacity to use many school facilities such as halls, libraries and computer equipment. As she is a country member the minister would appreciate that this is of enormous benefit.

I ask the minister that schools with these recently announced projects be promptly informed of the next steps in the department's processes so they can make the necessary plans to accommodate these improvements.

Drought: Murray Valley

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Minister for Environment, who is also the Minister for Water, and I am disappointed he is not here for the first adjournment debate in the new Parliament. I give credit to the government for work that has been done on drought conditions and the support which is still occurring in country Victoria. Many people in some of the desperate areas of the state have been able to access support that has been provided by both the state and federal governments.

I wish to bring to the attention of the minister the issue of funding of the development of bores and water supply outlets. The government provided $1.2 million to drought declared municipalities so they could develop bores and water supply outlets. In the eastern end of my electorate some municipalities were not drought declared initially, but were drought declared in the latter part of last year — that is, the Rural City of Wangaratta and the shires of Benalla and Indigo. In particular the Shire of Indigo and the Rural City of Wangaratta were drought declared in the latter part of last year, so they did not have access immediately to some of the drought assistance that was needed.

In this area we have found that not only are there continuing drought conditions but in many places the farmers and the people living in the country areas do not have a reasonable supply of water. In fact, the Shire of Indigo contacted me early in February indicating that it sought from the government about $80 000 to assist in producing and developing bores and water supply outlets. It was told that the $1.2 million had been expended and there was no money available for these projects.

The Rural City of Wangaratta was in the same situation. It also is looking to develop areas for water supply through bores to assist people in those country areas who are without water. A resolution of the Rural City of Wangaratta last week led to $25 000 being provided to start making areas available for water supply and producing supplies.

What we need from the government is immediate assistance. I hope the Minister for Education Services is listening to me and will make sure that the Minister for Environment responds immediately. I have had contact with the drought relief committee, I have written to the Premier and to the minister, and I have received no response to date. I have spoken to people within the department who continue to tell me, even today, that there is no money available in this area. What is going on? The government is going around saying it has money available to assist people in the drought areas; they only need to apply and they will be able to get funding support under various programs. The federal government is also providing support. What we are finding is that no money is being put into this area. Up to $100 000 in each of those municipalities — not huge money — would assist in providing the water supply which is desperately needed. They are carting water and for longer distances. We need bores and a water supply in the closer area.

I ask the minister to ensure that the appropriate minister, the Deputy Premier, who is also the Minister for Water, has a look at this immediately and provides money to those two municipalities that desperately need it, the Rural City of Wangaratta and the Shire of Indigo.

Olympic Games: Victorian volunteers

Mr ROBINSON (Mitcham) — May I take this opportunity, Deputy Speaker, on behalf of the constituents of Mitcham to congratulate you on your elevation to high office.

I wish to raise an issue for the attention of the Deputy Premier in his capacity as Minister for Victorian Communities, particularly with regard to his responsibility for volunteers. I want to seek his consideration of a very sensible suggestion which has been made by a constituent in the Mitcham electorate. The gentleman, who lives in Nunawading, was a proud participant in the Sydney Olympics as one of many hundreds of Victorian volunteers. I think all of us remember the wonderful effort that was made by many hundreds, if not thousands, of Victorians, who gave up their time to travel to Sydney and assist many other Australians and visitors from overseas in enjoying what was a wonderful spectacle.

Sadly, Deputy Speaker, I have to declare that I was not in the country at the time of the Sydney Olympics. I was overseas at the time, attending as a member of the Scrutiny of Acts and Regulations Committee, about which something has been said today, a conference in Mexico on regulatory reform. But lest anyone think I was not behaving myself, I was in the company of the honourable member for Nepean. Had sessional order 17, as a digression, been in practice in the last Parliament, I could have extolled, along with the honourable member for Nepean, the virtues of regulatory reform as it applied at that Mexican conference. Sadly that was not the case, but we live in hope.

We all know that the Sydney Olympics were, in the words of His Excellency Juan Antonio Samaranch, the best ever. But we all know in this place that it was only the best ever because of the contribution of Victorian volunteers! That is a great thing.

The worthy suggestion made by the constituent is that the government support a reunion of volunteers from Victoria who went to the Sydney Olympics. It would build upon the wonderful spirit of cooperation which was established at the time. I am not so sure we would make it an annual event unless the Parliamentary Secretary to the Premier wants more work, and I do not think he does. But if he wants, we could perhaps pursue it to that extent.

We have seen some great examples over the past few years of volunteer cooperation, particularly the efforts made at times of bushfire. I take up the comment, again as a slight digression, made by the Leader of the National Party in his contribution earlier tonight, where he talked about the wonderful effort by so many Victorians in not only fighting fires but dealing with the current fires.

I am old enough to recall Ash Wednesday some 20 years ago and the great difficulty that confronted members of the police force — including police officers who in the confusion of that holocaust did not clearly understand what powers they had to remove people who were endangered. That is something which, with the benefit of that experience, we have dealt with far more effectively now. It is a great tribute to people that they have enacted their emergency plans and we have seen such a comparatively modest loss of property given the size of the fires.

I acknowledge that there would be some practical issues associated with my constituent's suggestion, but it has merit. I hope the minister will consider it and instruct his department on how it might give effect to it at the earliest possible opportunity.

Moyne Health Services: funding

Dr NAPTHINE (South-West Coast) — Mr Deputy Speaker, I also congratulate you on your elevation to your position.

I raise an issue for the Minister for Health, and I seek immediate action from the minister to provide special funding to Moyne Health Services to enable it to combat a significant white ant infestation in its primary care building. Moyne Health Services is based in Port Fairy in south-west Victoria. It is a vital community service providing multipurpose health services to the Port Fairy and district community. It has 15 acute beds, 30 nursing home beds and 25 hostel beds, including 8 dementia and 2 respite beds. It also provides a wide range of primary care and community services, including such very important services as podiatry, asthma education, adult day activity and support services, district nursing, physiotherapy, nutrition and a myriad of excellent primary care and community-based services.

However, the ability of Moyne Health Services to deliver its primary care services is significantly hampered by a massive termite or white ant infestation

in its primary care building. I recently inspected this building and saw first-hand holes in the floorboards, skirting boards which were disintegrating and walls which were unsafe. Overall the rooms which were infested were simply unusable and absolutely unsafe.

This has forced staff to work in restricted and cramped conditions and made access for members of the community and visitors to staff and services very, very difficult. I believe this matter needs to be remedied — and remedied immediately — to deal with the white ants that are infesting the primary care building and also to prevent them from spreading into other parts of the excellent Moyne Health Services site.

Mr Nardella — It's the old team again!

Dr NAPTHINE — The honourable member for Melton may not be interested in health services in western Victoria, but I suggest he take more notice of what the constituents of all of Victoria need. I ask the Minister for Health to provide the $100 000 that would be required to deal with the white ant infestation and to clean up the termite infestation in the primary care building so this building can be utilised by staff to provide high-quality primary care services to the people of Port Fairy and district.

Disability services: ethnic communities

Mr LANGUILLER (Derrimut) — Deputy Speaker, may I congratulate you on your elevation to your position. We are very confident you will do a magnificent job on behalf of this institution.

I refer this matter to the Minister for Community Services, and I seek action from the minister in relation to addressing the needs of culturally and linguistically diverse people in Victoria, particularly those in the disability sector. There is a real need to boost the level and accessibility of services for Victorians who are of an ethnic or non-English-speaking background. Indeed I can confirm that that is the case in my electorate, as it is in the wider western suburbs area.

There is a need to ensure that we strengthen the strategy of the state disability plan in order to ensure that the services are relevant to members of our community who are of linguistically and culturally diverse backgrounds — for themselves, their families and their carers.

The problems of providing services that can adapt to the needs of a diverse community have been exacerbated by the rigid and underfunded service left over by the Kennett government. I am very confident that arising out of the state disability plan, which was established under the Bracks government in the last Parliament, we in this Parliament will begin to address the needs of these communities.

The government through the state disability plan has recognised the need to build a new and better service and system and to work both with the disability sector and Victoria's many ethnic communities and stakeholders.

There is a sharp need to build on the state disability plan with a strategy that will help provide greater delivery of services to these communities. I will put the following on the record: we need to promote the participation of ethnic communities in the planning for and delivery of services to people with a disability, their families and their carers. We need to provide information about services in forms that are accessible and relevant to people from other backgrounds. We need to raise cultural awareness across the disability sector, and we need a genuine partnership between the government and these communities in order to address the issues that are pertinent to them.

It is now time for the government to move away completely from the former Liberal government's approach of seeing ethnic communities as part of a problem. They are not part of a problem; they should be part of a solution. As a member of this government I am strongly committed to ensuring that by strengthening the state disability plan we deliver adequate services to these communities.

Bannockburn: community health centre

Mr MULDER (Polwarth) — The issue that I wish to raise is for the Minister for Community Services and concerns the fair town of Bannockburn in the Golden Plains shire.

When I took over as the honourable member for Polwarth in 1999 and visited the centre of Bannockburn, the Liberal Party had built a new school, it had sewered the town of Bannockburn and it had put in place a new industrial estate and a new recreation centre. It was an absolute pleasure to move among that community and note in particular all the very young families who had moved into that area. Indeed you, Deputy Speaker, would be aware of Bannockburn being very close to your electorate and those of the other Geelong members. I hope that I will get the support of the Geelong members in particular in relation to the next step in the growth of Bannockburn.

A good community health centre is now required in Bannockburn. Towards the end of last year I received a

deputation here at Parliament from Bannockburn's kindergarten council, along with representatives from the Golden Plains shire, to put their case to the shadow minister in relation to Bannockburn and their requirement for a good community health facility in that town. As a result of that deputation the Liberal Party was prepared to commit in excess of $500 000 towards that project.

The problem in Bannockburn is that the kindergarten is well out of town and on a very sharp bend in the road. It struggles to meet the audit requirements every time the kindergarten is audited. The maternal health centre is located on the other side of town in a very run-down dwelling and some of the community health services delivered via Hesse Rural Health Service are run out of a commercial building in the middle of town. I am sure the minister will be aware that there will be significant lobbying from both the Golden Plains shire and community members in Bannockburn, with my full support.

The project overall is worth around $1.5 million. The Golden Plains shire, which has been a champion of small town projects, has once again excelled in getting this project up. It has always been able to meet its side of the commitment in fifty-fifty funding. The kindergarten community and other groups in the town have also come to the party with a funding commitment. They are now asking the Minister for Community Services to meet with them, take on board their concerns and support this vital project that is needed for Bannockburn. I assure the minister that if she were to visit a school in Bannockburn and do a little bit of work around the kindergarten, which is overprescribed at this time, she would have a very good understanding of the enormous growth in the town and the tremendous family community that exists in Bannockburn. Because of the huge number of young children, this service is vitally needed. I ask the minister to meet with Golden Plains shire and these groups and to support this vital project for Bannockburn.

Water: saving rebate

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Water. I ask the minister to consider a very innovative suggestion raised by Mr Domenic Pizzoferrato of Pascoe Vale in relation to the $150 rebate for the installation of water-saving devices. Around Pascoe Vale many people take great pride in their homes and gardens and Mr Pizzoferrato is certainly one of those people. He has developed an operational water-saving system constructed from a mixture of recycled goods and some new material. Honourable members would be aware that the current $150 rebate to offset some of costs associated with water-saving devices requires that they be installed by a licensed plumber. Mr Pizzoferrato is not a licensed plumber, but he certainly has a very innovative system in operation, and I would like to outline it for the house. He has installed water collection and grey water recycling in his backyard, and he has also recycled industrial waste to do this. The system has been installed at a cost of around $400 to him and his family, and I am told that the nine blue bins that he uses have been recycled from the local salami manufacturers. They cost $25 each to obtain.

Most people do not think of water recycling systems beginning through their local salami factory, but Mr Pizzoferrato certainly has. In addition he has spent $75 on spouting pipes and connections. I note the honourable member for Narre Warren North is in the chamber at the moment, and a Mr Rose, believe it or not, raised a similar suggestion with him.

I am advised that people who are absolutely enthusiastic about water conservation should be encouraged. We certainly are encouraging them, and I think it is pretty impressive when a gentleman comes up with such an innovative suggestion that does not require rain tanks to be installed, and when a pizza manufacturer is helping with the recycling system in Pascoe Vale.

Again I ask the minister to consider some of the more innovative suggestions that have been raised by home handymen. Some members of the Victorian community are actively engaged in such projects, and the minister should be encouraged to support them.

Trams: kerb access stops

Mr CLARK (Box Hill) — I raise with the Minister for Transport my continued concern about proposals for either so-called kerb access or easy access tram stops being installed in Whitehorse Road, Mont Albert, between Union Road and Elgar Road, in conjunction with the extension of the tramline to Box Hill.

As the minister knows, these proposals involve either the extension of the kerb towards the middle of the road, narrowing traffic towards the centre lane of the road or creating a split-level road surface and narrowing all traffic other than trams to the left-hand lane of the road. These stops were not part of the original proposals for the tramline extensions that were locked in by the coalition government under its rail franchising arrangements. Rather they are a last-minute attempt by

the government to try to help Yarra Trams comply with its obligations under the Disability Discrimination Act.

While I have strongly supported the extension of the tramline to Box Hill for many years, the threat of this tram stop design being imposed on the community has been causing a great deal of concern to local residents for many months. The minister was quoted in a local paper in early October as saying that Vicroads would speak to affected residents and then carry out more general consultation and that 'A final decision will be made later this year'. Since that time, apart from a briefing provided in mid-October by Vicroads officers to members of the Tram 109 Action Group, there has been very little if any further public consultation or information provided on the issue.

Residents have quite reasonably put forward a range of alternative proposals regarding ramps or lifting devices on trams, hydraulic road-based ramps and centre-road and other tram stop designs. None of these alternatives has been properly responded to. Most recently I wrote to the minister about these issues late last year, but I have not yet received a substantive reply.

Given the lack of say that residents have had so far, and given that the extension project is now at least 10 months behind schedule, it seems to me that the best way forward from here is to open the extension using conventional tram stops between Union Road and Elgar Road while a full range of accessibility options are canvassed with the community. I seek the minister's support for that approach.

Despite all of the ostensible offerings of consultation to the community that have been part of the present government's litany, that certainly has not been part of the experience of the residents in my community. They originally were to have one particular design forced on them on very short notice. Later on, after repeated resident protests, an alternative design was put forward three or four months ago, but since then residents have been kept in the dark.

It is important that they know what is going on, and it is most important of all that these half-baked ideas for tram stops not be imposed on the community and instead that conventional tram stops be installed until this matter has been resolved.

Responses

Ms ALLAN (Minister for Education Services) — The honourable member for Macedon raised with me the issue of a number of capital works projects for schools in her electorate. I start by congratulating her on her outstanding result on 30 November last year. She is a local member who is very keen to see these major works in our schools, and particularly those in her own electorate, undertaken in a timely way. The honourable member will be well aware, as will many honourable members on all sides of the chamber, that these capital works projects are part of a $656 million allocation the Bracks government made to school capital works programs during its first term in government. This is more than double what the former government spent on capital works in its last three years in office.

I am pleased to say that right across Victoria one in three schools has received a capital works upgrade. That is a marvellous achievement over the past three years. Unlike the former government, which was more interested in closing down schools, we are building schools and upgrading their facilities. Over the next four years the Bracks government will continue to build on its strong achievements in capital works. At the last election we announced further commitments for major capital works upgrades around the state, including $180 million for 15 new schools, $80 million for the modernisation of specialist facilities, $50 million to replace older portables, $30 million for community facility funds and $10 million for the schoolyard blitz.

The DEPUTY SPEAKER — Order! Would honourable members lower the volume of their conversations or leave the chamber.

Ms ALLAN — As part of this the honourable member for Macedon will already know that in addition to the specific projects that she named there are currently another four schools involved in planning facility upgrades in her electorate. They are Lancefield Primary School, Sunbury Heights Primary School, New Gisborne Primary School and Killara Primary School. The honourable member is quite clearly delighted at the capital works projects that are under way at those schools.

I assure the honourable member for Macedon that the schools with the specific projects that she named earlier will be promptly informed of the department's capital works processes and that they can make the necessary plans to accommodate these improvements to their school facilities.

Ms GARBUTT (Minister for Community Services) — Deputy Speaker, I congratulate you upon your election to that position. I have every confidence that you will carry out the task very well indeed.

I thank the honourable member for Derrimut for raising the issue of access to disability services for people from non-English-speaking communities in Victoria. It is an issue he is very passionate about and of which he has spoken to me on numerous occasions. He raises very valid points about how members of ethnic communities across Victoria get to understand and know what services are available to them and how to access them, whether they are disability services or others. There are challenges, of course, for any government in ensuring that these communities have that knowledge and understanding and that they are able to access the services.

I am happy to give a commitment that the government will be developing a strategy to promote the involvement of ethnic communities in determining the very best way to deliver disability services to these communities. I will be very happy indeed to involve the honourable member for Derrimut. I believe he could well take a lead role in developing that particular strategy. Of course it will have to be absolutely consistent with the state plan, which sets the blueprint for the delivery of disability services in Victoria over the next 10 years. I look forward to working with the honourable member for Derrimut on that project.

The honourable member for Polwarth raised with me the request by the Golden Plains Shire Council to meet with me and discuss the concept for the Plains community centre, where the community wants to bring together and integrate a range of services including children's services and various health services. The information points out that it is a very fast growing community and a very young community, as 30 per cent of the population is under 18. That is quite a striking demographic.

The council recognises that the Bracks government has a great policy in the Children First initiative, which talks about integrating all the different activities of state and local government in children's services and bringing them together in children's centres. We have committed $8 million over the four years of this government for seeding grants of $250 000 to establish up to 30 children's centres across the state.

We also have a commitment to upgrade local and maternal health centres, and we have set aside $16 million for that. We have allocated $6 million for additional early intervention services and more for preschools as well. So there are a number of promises and funding commitments that we have made. I am happy to meet with the shire council to discuss how we might bring its ideas for a centre to fruition. Of course it crosses into some other government policy areas and ministerial responsibilities, including health, but I think we have the basis of a good discussion.

Mr BATCHELOR (Minister for Transport) — The honourable member for Box Hill raised with me the matter of access to trams on the 109 tram route, which is part of the extension of the tramline to Box Hill. He requested that there be a greater level of consultation when resolving some of the issues involved in improving access to trams for people with disabilities and people with mobility impairments, as well as providing additional assistance to the aged, to people with shopping trolleys and to women with prams. It is about providing better access to trams with a new style of tram stop.

The original proposal was for a design called an easy access stop. As a result of public consultation, which included local residents and the council, Vicroads and other representative bodies, we have been able to get a community outcome that will see a modification of those originally proposed designs. A consensus for a new design, called kerb access stops, has emerged. These kerb access stops are an improvement.

Mr Clark interjected.

Mr BATCHELOR — The honourable member for Box Hill interjects that there was no consensus. There was, except for the honourable member for Box Hill, who sought to use this as a divisive issue in the lead-up to the election — and he continues to do that. It is really quite disappointing to see an experienced member of Parliament try to exploit the issue. Some residents are being asked to campaign against improvements to our public transport that are designed to meet the Disability Discrimination Act requirements and to provide assistance for people who need it.

This process was not designed to allow the honourable member for Box Hill to exploit and manipulate the circumstance. It is a process designed to provide assistance to people with disabilities who need some better general access to public transport.

We will continue with this program. We will continue to talk to local people. There are some issues with residents, but already the process of consultation has produced some positive outcomes. I have met with local residents in Box Hill. We have heard what they had to say. They raised a number of specific and detailed issues about the original design, and by and large we have been able to accommodate those and also, importantly, maintain the integrity of this project in providing vastly improved access for people with disabilities.

It is a shame, the way the honourable member for Box Hill has conducted himself in the local electorate. You would have thought the honourable member for Box Hill would have been supportive of a tram extension that provides modern access out to the Box Hill shopping centre from where the tram currently terminates and that he would have supported a new design and concept that will provide assistance for people with a range of disabilities and for those members of our community who could take advantage of being able to easily get on a tram.

I invite the honourable member for Box Hill to take a tram ride, to talk to local people and to get behind those residents who require improved access instead of his trying to cynically exploit the issue. The way he has carried on in the general public is a disgrace. I bring to the attention of the house that this is one of the most despicable acts I have seen for a long time.

Ms ALLAN (Minister for Education Services) — The honourable members for South-West Coast and Brighton raised matters for the attention of the Minister for Health, which I will refer to her for her attention.

The honourable member for Murray Valley raised a matter for the Minister for Environment, and the honourable member for Pascoe Vale raised a matter for the Minister for Water. I will refer those matters to him for his attention and follow-up.

The honourable member for Mitcham raised a matter for the Minister for Victorian Communities regarding volunteers. I will also refer that matter to the minister.

Motion agreed to.

House adjourned 11.48 p.m.

Thursday, 27 February 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.34 a.m. and read the prayer.

PETITIONS

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

Housing: loan schemes

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

The humble petition of the following residents to the state of Victoria sheweth the state government sponsored home loan schemes under the flawed new lending instrument called capital indexed loans sold since 1984–85 under the subheadings, CAPIL, deferred interest scheme (DIS), indexed repayment loan (IRL), home opportunity loan scheme (HOLS), shared home opportunity scheme (SHOS), are not fit for the purpose for which they were intended.

We the undersigned believe these loans are unconscionable and illegal and have severely disadvantaged the low-income bracket Victorians the loans were meant to assist.

Your petitioners therefore pray that:

1. the existing loans be recalculated from day one in a way as to give borrowers the loans they were promised affordable home loans specially structured to suit your purse;

2. the home ownership be achieved within 25 to 30 years from date of approval;

3. the payments to be set at an affordable level — i.e., 20 to 25 per cent of income for the duration of the term for all the loan types;

4. past borrowers who have left the schemes be compensated for losses that have been incurred by them being in these faulty structured loans;

5. any further government home ownership schemes be offered in a way as to be easily understood by prospective loan recipients;

6. the interest rate will be at an affordable rate — that is, flat rate of 3 per cent per annum or less for the length of the term of the loan — geared to income;

7. capital indexed loans be made illegal in this state to protect prospective loan recipients.

We ever pray that we may lead a quiet and peaceable life in all godliness and honesty. (1 Tim 2:2)

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

By Mr ROBINSON (Mitcham) (10 signatures)

Sorrento: settlement site

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

The humble petition of the Friends of the Collins Settlement Sorrento Inc and/or the undersigned citizens of the state of Victoria sheweth:

(i) that the cultural importance of the 1803–04 settlement site as being a place frequented by the Boon wurrung balluk people for thousands of years before the arrival of Europeans;

(ii) that in 1803 the first European settlement in Victoria was established at Sullivan Bay under David Collins;

(iii) that the present-day city of Hobart was established by people who moved from Sullivan Bay to Van Diemen's Land in 1804;

(iv) that the Sullivan Bay settlement resulted in some of the earliest recorded contacts between the Europeans and the Boon wurrung people;

(v) that erosion has made the site's display centre unsafe and removal of the building is recommended as an urgent action by Parks Victoria.

Your petitioners therefore pray that the Victorian government appreciates the cultural, historical and educational importance of this by exploring ways in which a replacement centre can be created.

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

By Mr DIXON (Nepean) (463 signatures)

Sorrento: settlement site

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

The humble petition of the Friends of the Collins Settlement Sorrento Inc and/or the undersigned citizens of the state of Victoria sheweth a replacement building is urgently needed at the Collins first settlement site near Sorrento as a visitor and display centre. This significant site has cultural, historical and educational importance that needs to be preserved for the bicentennial celebrations and future generations.

Your petitioners therefore pray that the Victorian government will provide a replacement building facility to be operative for the bicentenary in October 2003.

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

By Mr DIXON (Nepean) (314 signatures)

Laid on table.

PAPERS

Laid on table by Clerk:

Audit Act 1994 — Auditor General — Report on Public Sector Agencies — Results of special reviews and 30 June 2002 financial statement audits — Ordered to be printed

Footy Consortium Pty Ltd — Report for the year 2001–02

Health Services Act 1988 — Report of the Community Visitors for the year 2001–02 — Ordered to be printed

Parliamentary Contributory Superannuation Fund — Report of the year 2001–2002

Phillip Island Nature Park Board of Management — Report for the year 2001–02 (two papers)

Tattersall's — Financial Statements for the year 2001–02

Water Act 1989 — Barwon River Catchment Water Supply Protection Area Declaration Order 2003.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 26 February 2003:

Road Safety (Responsible Driving) Act 2002 — Remaining provisions (except sections 3, 4, 5 and 6 and paragraphs (b), (c), (d), (e) and (f) of section 10) on 15 December 2002 *(Gazette G44, 31 October 2002)*

Sentencing (Amendment) Act 2002 — Section 11 on 17 February 2003 *(Gazette G6, 6 February 2003)*

Victorian Institute of Teaching Act 2001 — Remaining provisions on 31 December 2002 *(Gazette G51, 19 December 2002)*

Wildlife (Amendment) Act 2002 — Whole Act on 1 November 2002 *(Gazette G44, 31 October 2002)*

Wrongs and Other Acts (Public Liability Insurance Reform) Act 2002 — Section 8 on 14 February 2003 (Gazette G7, 13 February 2003).

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

That the house, at its rising, adjourn until Tuesday, 18 March.

Motion agreed to.

MEMBERS STATEMENTS

Bushfires: region 14

Ms BEATTIE (Yuroke) — I wish to pay tribute to all those involved in the huge effort to hold back the bushfires as they ravaged through Victoria. I especially salute those from Country Fire Authority region 14 who left home and family for days on end to fight this monster. That there was no loss of life until this morning's tragic events is indeed a tribute to their heroism, coupled with enormous support from other agencies that stood shoulder to shoulder minimising loss of property and stock.

Accolades also go to the Metropolitan Fire Brigade, the State Emergency Service, the Department of Sustainability and Environment, the St John Ambulance, the Red Cross and our beloved Sallies, always on hand with a cuppa, a strong shoulder and a kind word. This was and still is a mighty community benefit. Local church groups, service clubs, scouts and guides formed a special bond with the emergency groups. Well done all, especially those from region 14, my region. I salute them and I thank them.

Brauerander Park, Warrnambool: funding

Dr NAPTHINE (South-West Coast) — Last Friday federal Treasurer Peter Costello visited the site of the proposed Brauerander Park sports development in Warrnambool. Mr Costello on that visit reaffirmed the commitment of the federal government to provide $1 million for this important development for south-western Victoria.

I remind the house that in late 2001 Premier Bracks said, 'We are happy to contribute to a three-way partnership between state, local and federal governments, and I think we are well on the way to achieving that'. That is what he said in late 2001; and here we are at the start of 2003 and the federal government has committed $1 million to the project, the community has committed well over $2 million, including a very generous donation of $1.65 million worth of land for the development of that sports facility, and the local government is supportive of this sports facility. The only one missing from this tripartite approach is the state government.

I urge the state government to get on board and provide $1 million for the development of the Brauerander Park sports facility. This will provide a regional athletics facility, hockey facilities, soccer facilities and other important sporting facilities for the south-west. Without that facility our athletes are running in Blundstones compared to people who have sprint shoes to run in.

I call on the Treasurer when he is in Warrnambool this weekend to meet with the proponents and commit this government to $1 million for this development.

Barry Aitken

Mr LANGDON (Ivanhoe) — I wish to advise the house of the passing of Barry Aitken. Many people in this house may have known of Barry; he was a longstanding officer of our parliamentary committees. Barry was born on 15 June 1956, and after a very long illness he passed away on Sunday, 29 December 2002.

He started his career with this Parliament in March 1992, first as executive officer to the Public Bodies Review Committee and then as executive officer to the Road Safety Committee, which he served for many years.

Two years ago a tumour he had had began to cause more problems, and a period of chemotherapy ensued. He went on extended sick leave after a stint in hospital in March 2001 and managed to return to work on a part-time basis in October of that year. Sadly, his return to work lasted only a few months before his condition deteriorated. On 18 February 2002 he was forced to resign.

Barry was a longstanding and very effective officer of this Parliament, and he will be sadly missed by all of us. He worked on reviews involving organisations like the Metropolitan Fire Brigades Board, the Liquor Licensing Commission and the State Electricity Commission and investigations into matters such as the effects of drugs other than alcohol on road safety, motorcycle safety in Victoria and the incidence and prevention of pedestrian accidents.

Barry is survived by his wife, Jacqueline, and their two children, Sarah, 19, and Dean, 18. My condolences to them. He will be sadly missed by all.

Police: Kyabram

Mr MAUGHAN (Rodney) — Increased police resources are needed in the Kyabram cluster, which covers the towns of Tongala, Girgarre, Stanhope and Rushworth as well as Kyabram. All of these towns are currently understaffed, and residents have expressed their grave concerns about the increase in vandalism and behavioural offences. Residents, particularly the older residents, are fearful and insecure because of the obvious lack of police coverage in the area.

These concerns were expressed in a petition organised by the Kyabram Chamber of Commerce, which in a very short period of time secured 951 signatures on a petition which was presented to this house yesterday. I therefore call on the government to ensure that there are sufficient police resources available to adequately cover the towns of Kyabram, Tongala, Girgarre, Stanhope and Rushworth and their surrounding areas.

Ashburton Festival

Mr STENSHOLT (Burwood) — Last Sunday Ashburton held another of its very popular and successful festivals. There was fun, food, entertainment and information all along High Street and local side streets.

There were three stages with top attractions including Denise Drysdale and local talent such as the Gulasekharams, youth bands with Freeza support, multicultural belly dancers, Moroccan drummers and Afghan dancers of hope.

I commend the Ashburton Traders, led by coordinator Liz Webb and president Mark Phillips, for organising such a great festival. Our thanks to Boroondara council and local councillor Keith Walter as well as the Victorian Multicultural Commission, Camcare and Gamblers Anonymous for their sponsorship and support.

Thousands of locals, families and visitors attended the festival and enjoyed the many acts or went on the carnival rides, visited the animal farm behind the Estrella preschool stall or climbed the rock wall of the Hartwell, South Camberwell and Ashburton scouts.

The whole community pitched in with stalls from local schools, such as St Michael's, Solway, Glen Iris and Ashwood College, and groups such as CRACAS — the Concerned Residents of Ashburton, Ashwood, Chadstone and Surrounding Areas — and the nursing mothers, as well as neighbourhood and other centres such as the Craig, Rowen Street and Ashburn Grove groups, Ashburton community centre, the Boroondara community health centre and the Highgate Grove childcare centre.

It was a great event, and I was delighted to support it and be part of it once again.

Intellectual Property Research Institute of Australia

Mr KOTSIRAS (Bulleen) — Once again the spin of the Bracks government has been exposed. Once again this government has been caught jumping onto the back of a success story and claiming it to be their own. The Minister for Innovation has used smoke and mirrors to give the impression that his government was responsible for securing federal government funding to base the Intellectual Property Research Institute of Australia (IPRIA) in Melbourne.

In a media release dated 9 October 2002 the minister said:

> The decision to base IPRIA in Victoria is further evidence of our leadership and strength in innovation …

The media release also attributed words to the director claiming that:

> … the Victorian government's support of the Melbourne University bid … was essential in clinching commonwealth funding.
>
> Melbourne University was able to leverage the state government's funding commitment to secure federal government funding …

Someone forgot to tell the federal government, because the federal Minister for Industry, Tourism and Resources in a letter to me dated 22 January 2003 advised that:

> … the Victorian government announced its funding support for IPRIA … some months after the commencement of the centre … and almost a year after the announcement … that the University of Melbourne was the successful bidder.

This government jumped on the success story after the event, after the federal government had chosen Victoria as the preferred state.

Victorians cannot trust this hypocritical and self-serving Labor government, which is more interested in creating spin than in creating opportunities.

Carrum: walking school bus

Ms LINDELL (Carrum) — Speaker, yesterday in the City of Kingston the Walking School Bus program was launched. I want to take this opportunity to congratulate the Patterson Lakes Primary School, Carrum Primary School, Chelsea Primary School and Bonbeach Primary School communities for taking up this partnership with Vichealth and the City of Kingston to promote active lifestyles for their primary school age students.

We all know that children who are active as young children are much more prone to be active for their entire lives. The program builds on the aspect of community participation in taking control of our own environments and lifestyles. The increased traffic on roads, especially at school time, puts more children into cars, which puts more traffic on the road, and so the cycle goes on.

Parents engaged as volunteers to act as drivers and conductors of the Walking School Bus have taken the opportunity to put their kids on the street, thus making it safer by removing cars from the roads and encouraging more children to walk. I commend their voluntary activities and wish the program well.

Arthurs Seat chairlift: government assistance

Mr DIXON (Nepean) — Speaker, you would be aware of the collapse of the Arthurs Seat chairlift early in January this year. The Acting Premier at the time, who is now the Deputy Premier, came down in a blaze of publicity and quickly promised $100 000 to promote the local tourism industry.

We have an important part of our tourism season coming up with the March long weekend, the school holidays and the Easter holidays — in fact most weekends over the next couple of months. I have spoken to a number of local tourism operators and the tourism association in the Arthurs Seat area and everyone has said that not one cent of the $100 000 has been seen. There has been no correspondence from the government, and they are wondering where that $100 000 is and what it will be spent on.

Some businesses in the area rely heavily on the Arthurs Seat chairlift, including Seawinds gardens, the Manna Gum craft centre, the Arthurs Seat Maze and Arthurs Restaurant. Those businesses rely so much on the people the chairlift brings to that immediate area. Advertising is needed through Tourism Victoria and its various networks and in the Melbourne and national media. I ask the Deputy Premier to realise that media opportunities and spin are not needed. What is needed is the $100 000 that was promised.

Lara Secondary College: opening

Mr LONEY (Lara) — On the first day of school this year I was privileged to be at Lara to see 105 students take up their places in the new Lara Secondary College. This is a great day for the Lara community after 20 years of working towards achieving their own secondary school in their community. Huge numbers of locals turned out to see those 105 students take their places.

I congratulate the principal of the school, Greg Stirling, and his staff on having programs ready for that first day and having everything in place for the 105 students who came in. I also congratulate the builders, Devco, and the workers who built that facility and who have done a magnificent job on what is an innovative building that will serve the community very well into the future. The principal, the staff and Devco thoroughly deserve the congratulations they have received on the preparation of the building and ensuring students would have no

disruption on the first day, because it was carried out tremendously well.

I would also like to congratulate the Bracks government and both the present and previous ministers for education on their commitment to the opening of this facility, providing the funding necessary and ensuring that Lara Secondary School — —

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

Police: annual report

Mr WELLS (Scoresby) — This members statement condemns the Bracks Labor government and the Minister for Police and Emergency Services for not honouring their promise to be open and accountable by failing to table the Victoria Police 2001–02 annual report prior to last year's state election. This follows an assurance provided to my office by the Victoria Police chief commissioner's office that the annual report would be tabled on Thursday, 31 October 2002. This meant the Victorian community went to an election without knowledge of the true operational status of the Victoria Police and the resources available to it.

The report shows that the Bracks government has turned our police force into a pack of revenue raisers. How do we know this? The time spent on investigations into crimes against the person were 500 000 police hours less than its own target, and investigations into illegal drug activity should have reached 600 000 hours yet only reached 326 000 hours; but road traffic law enforcement, which had a target of 850 000 hours, actually had 1.1 million hours applied to it, proof that police have been removed from crime fighting areas into revenue raising.

The Bracks Labor government has been caught out placing revenue raising ahead of community safety and crime fighting.

Brimbank: media relations

Mr SEITZ (Keilor) — I wish to place on public record my concern and that of the people of Brimbank at the inappropriate relationship between the media and the City of Brimbank that allows some councillors to produce documents and items that are then printed in the newspapers as true when they are absolutely false. I am led to believe this now extends to the ABC. It is of great concern to me and the residents of the municipality that this inappropriate relationship is taking place in the City of Brimbank at this time.

The fact is that some councillors have stated untruths about my past history, in particular my involvement with the former City of Keilor and other activities in municipalities where I actively supported getting funding and other support from the state government for the people of my electorate and those from adjoining electorates. I will continue to carry out my duties to make sure the City of Brimbank and the residents in the Keilor electorate get the maximum benefit from the Bracks government in the future, as they have in the past.

School buses: River Heights Estate

Mr DELAHUNTY (Lowan) — The safety of the travelling public is of paramount importance, particularly with the deaths on western Victorian highways in the last two days. Today I want to focus on the safety of our most precious resource, our children, especially those who are catching school buses on the Henty Highway at Dooen near Horsham.

The Henty Highway is a state-funded road, with responsibility for all issues, including school bus stops, resting with the state government. I have been contacted by parents of the River Heights Estate who are extremely concerned about the safety of approximately 20 children using school buses morning and afternoon. The Henty Highway carries a diverse range of traffic, including large B-doubles, grain trucks, V/Line buses and cars travelling at speeds of 100 kilometres an hour and sometimes more. This highway can be extremely busy during the Wimmera machinery field days, which are on next week — honourable members should be there — and at harvest time, when a constant stream of traffic makes crossing this highway very difficult.

I know meetings have been held with parents, the Wimmera road safety committee, schools, councils and government departments, who all agree that there are safety issue concerns. With more families moving into this area there is a need for a long-term, efficient and effective bus stop for our children now and into the future. Presently there is buck-passing between the Department of Infrastructure and Vicroads, who are trying to toss this to local government. I call on the government to accept its responsibility and fund a school safe bus stop at the River Heights Estate at Horsham.

Cr Ann Cox

Ms CAMPBELL (Pascoe Vale) — In March 2002 Cr Ann Cox, mayor of Mildura Rural City Council, addressed this house at the national population summit,

giving what I thought was an absolutely outstanding speech, after which I congratulated her. Her speech was filled with depth, good humour, practical solutions and a great deal of community input.

Sadly Ann passed away on Christmas Day. In that speech she painted a picture of the postwar population message 'populate or perish', postwar migration, the ethic of hard work, friendship, freedom and thriving rural Victoria. In the intervening decade she told us there was a rural decline that was hastened by the withdrawal of services and population infrastructure decline.

Not one merely to challenge governments, she focused on solutions. She had been active in a regional cities planning day and offered those solutions to this house. She said in that speech:

> … rural and regional centres have positives.

And she really enticed us to come to Mildura. She mentioned the affordability of land, the lower cost of living, and she talked about when we went to Mildura we could see the stars and beautiful skies. With 7 children and 19 grandchildren, she felt eminently qualified to speak on the topic of population. I pass on my condolences to her devoted husband of 45 years, Brian, and her children and grandchildren.

Housing: waiting lists

Mrs SHARDEY (Caulfield) — Surprise, surprise! The election is over so public housing waiting lists are on the rise again. Public housing waiting lists in country Victoria rose by some 9 per cent during the December quarter alone, while the overall list rose for the first time in six months.

These new figures clearly show the Bracks government is concentrating its housing resources in city areas while country families have been surely left out in the cold. The worst increases were in the Gippsland region, with an increase of 22 per cent; the Hume region, up by 9.5 per cent; and the Grampians, up by over 5 per cent. For individual towns the worst increases were in Morwell, with an increase of a whopping 28 per cent; Bairnsdale, up by 17 per cent; and Wangaratta, Shepparton and Benalla.

The early or priority housing segments of the list have continued to rise at a phenomenal rate during the last three years, with a statewide increase of over 220 per cent, while individual towns such as Benalla are up by 2200 per cent since June 2000; Horsham, 1600 per cent; and Swan Hill, 1200 per cent, which shows the government is clearly failing to meet demand.

Following her predecessor's lead, the current housing minister has tried to hide the problem using dodgy figures which ignore transfer applications for people who genuinely need to move.

Brunswick Music Festival

Mr CARLI (Brunswick) — First of all, congratulations, Speaker, on your appointment to this important position.

I wish to remind honourable members that this Sunday is the beginning of the Brunswick Music Festival. The first event is the Sydney Road street party, which is a day where we celebrate our diversity in Brunswick. We close Sydney Road to all traffic and close down the trams and basically party and have music from all the countries that represent the community.

An honourable member interjected.

Mr CARLI — The honourable member suggests belly dancing. One of the things that is very strong in terms of the street party and the music festival is that it is a celebration of our diversity and solidarity with the people of Brunswick and Moreland. We have to remember that it has the largest number of people from the Middle East in Victoria.

One of the things we do in this celebration is build a solidarity in a community that feels very, very pressured at the moment given world events, and certainly for the Lebanese, Syrian and Iraqi communities we do our utmost to ensure that they are involved and we all build that sense of solidarity.

I particularly want to congratulate John McAuslan, the current director of the Brunswick Music Festival, and Peter Leman, the founder and previous director who also is assisting John in organising the street party.

I also want to acknowledge the Moreland City Council, which for over a decade has contributed to this music festival — a festival which celebrates music from all over the world, beginning with Australia and including Celtic music, particularly Irish and Scottish music, and European, Middle Eastern, African and Asian music. It is a terrific festival.

Jack Deppler

Mr TREZISE (Geelong) — I take this brief opportunity this morning to recognise the life of a true stalwart and leader within the Geelong community, Mr Jack Deppler, who sadly passed away after a long battle with cancer at the age of 76 on Monday, 24 February.

Jack Deppler, over many decades, fought for what he believed in and for what he believed was right, especially in seeking the best for people living in the Corio and North Shore area of Geelong. In tirelessly serving the northern suburbs of Geelong, Jack Deppler was involved in many organisations. He served as president of the Corio shire, he was president of the Geelong Trades Hall Council, and he devoted much time and effort into community organisations such as the Corio Little Athletics, Norlane High School, Norlane RSL, North Shore kindergarten, Red Cross — and the list goes on.

Jack also served Australia as a soldier in New Britain during World War II. But perhaps Jack's greatest love, outside his family of course, was the North Shore Football Club. On any given Saturday in winter he could be seen down on the boundary fence supporting the Shories in his own enthusiastic way.

Jack Deppler was devoted to making his community a better place and working to ensure that those in most need were provided for. He was justly rewarded for his work with an Order of Australia Medal, a reward he accepted with great pride. I pass on my condolences to Jack's wife, Lois, and his family. Vale Jack Deppler, OAM.

Frankston: Sunday market

Mr HARKNESS (Frankston) — I wish to inform the house of a much-loved and valued institution in Frankston, the Sunday market. Held every Sunday for the past 27 years, the market is a magnificent addition to the social and economic fabric of Frankston. With proceeds going to the Frankston Dolphins Football Club, it is also a terrific fundraising mechanism for the best team in the Victorian Football Association! I have been attending the market since I was a child, and while campaigning throughout 2002 I had a stall there almost every Sunday. I will be there fortnightly throughout 2003 and beyond.

However, the market needs assistance now, as its current home on the north of the Beach Street car park is destined to become a shopping centre. I am working actively with market management to enable the market to stay in the heart of Frankston or to find it a new home in the municipality.

Rain, hail or shine, people travel far and wide to attend the Frankston market, with its wide variety of stalls selling everything from trash and treasure to plants, fruit, vegetables and fine woodwork. Of course the hot jam doughnuts are not to be missed either! Notably the market is attended by many people from non-English-speaking backgrounds, providing them with an opportunity to shop and socialise in a very friendly setting. I will continue my dialogue with the council, developers and government institutions over the weeks ahead to ensure that the market remains an institution in Frankston for at least another 27 years.

Barry Bushby

Mr ROBINSON (Mitcham) — This morning I record my congratulations to Mr Barry Bushby, who heads the patient advisory service in the Department of Health and who for many years has provided outstanding service to thousands of Victorians experiencing ill health. Over many years he has assisted those Victorians who have struggled to have hospital authorities deal with their case management adequately. He has been a terrific troubleshooter for patients. He has held hospital authorities, surgeons and registrars accountable for the way they deal with patients lined up for operations. On the number of occasions that I have dealt with Mr Bushby there have been some wonderful outcomes. Interestingly, I have never met Barry Bushby. To me he is an invaluable voice at the end of a telephone.

Most recently I dealt with him in a case involving a middle-aged woman from the outer eastern suburbs who had a very serious medical condition. Her language skills meant she was less proficient in English than many others, and this appeared to be part of the problem; the hospital authorities did not understand the gravity of her condition. But thanks to the intervention of Barry Bushby, she was able to receive her operation, and it has made an enormous difference to her life.

Northern region disability network

Mr LANGUILLER (Derrimut) — I recently represented the government and the Minister for Community Services at the opening of the northern region disability network state disability plan 2002–12. I place on record my admiration for and congratulations on the tremendous work of the network. I especially wish to acknowledge Jess Evans from Princess Hill Secondary College, who is an outstanding young Victorian whom I admire.

The Victorian state disability plan sets new and important directions for disability support in Victoria. It is a vision not just about disability services but about an entire community here in Victoria that is more inclusive of everyone, a place where diversity is embraced and celebrated and where everyone has the same opportunities to participate in the life of a community

and the same responsibilities towards society as all other citizens in Victoria.

They seem such simple words, but anyone who has been marginalised, be it by disability, class, cultural identity, gender or anything else, knows how aspirational these concepts really are. That is one reason why it is exciting to be part of a government that is committed to turning these aspirations into something real for all Victorians.

The state disability plan is a landmark initiative of the Bracks Labor government, especially the Minister for Health and the former Minister for Senior Victorians, given the way it has taken a whole-of-government, whole-of-community approach to understanding and responding to the rights and needs of people with a disability.

Bushfires: Seymour

Mr HARDMAN (Seymour) — Speaker, I congratulate you on your election to the role of Speaker. I know you will do well and be impartial. I also hope that honourable members opposite, who have expressed the hope that you would be impartial, will treat you with the respect that you have already earned and deserved as a member of this Parliament.

The Seymour electorate has so far been fortunate to have been missed by the major fires in the north-east and Gippsland. However, the many towns and communities that make up the Seymour electorate, as well as state government agencies, have had many of their people volunteering and going out to fight the fires. I would like to thank all these people who have made that sacrifice, seeking no recognition or reward. They just go there, do the job and blend back into the community, so that you would never know they had been there.

While the Seymour electorate has not been directly affected by the fires, communities such as Marysville are suffering a major downturn in visitor numbers. It is up to us to help promote these areas which are suffering as an indirect result of the fires, because of a perception out there in the community.

Coupled with the drought and its effects, I think our country communities are in for a very tough year. At this stage I condemn the federal government for running a scare campaign in the north-east, saying that the state government has withdrawn support for farmers in the drought. That is totally wrong and the federal government knows it, because we have outspent it 20 to 1 on drought relief. It should stop playing games and get out there and support our communities and country electorates.

The SPEAKER — Order! The honourable member's time has expired. The honourable member for Ripon has 25 seconds.

Bushfires: Ripon

Mr HELPER (Ripon) — I would also like to congratulate you, Speaker, on your election to the high office that you hold.

I will use this opportunity to pass on my appreciation to the firefighters in my electorate, not only those who — —

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

CONSTITUTION (PARLIAMENTARY REFORM) BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

One of the most important cornerstones of our way of life in Victoria is our system of parliamentary democracy. Since coming to office this government has taken many steps to make Victoria a leader in open and accountable government, giving Victorians greater confidence in their elected representatives. The Constitution (Parliamentary Reform) Bill 2003 is no different. The momentous initiatives in this bill will bring our Parliament into line with other states and ensure that Victoria has the strongest possible democratic safeguards.

The bill sets out the most comprehensive reform of Victoria's parliamentary system since it was established in 1856. It amends the Constitution Act 1975 and the Electoral Act 2002 to bring the Victorian constitution into line with the rest of Australia and give Victorian people a stronger, fairer system of democracy.

This bill meets the commitment of this government to create a modern parliamentary democracy by improving our constitution as recommended by the constitution commission. This means introducing new rules to make Parliament more accountable; transforming the Legislative Council into a more effective house of review and further improving transparency in government.

The constitution commission, comprising former Supreme Court judge, Professor George Hampel, and two former Liberal MPs, Ian Macphee and Alan Hunt, was established on 19 March 2001 and reported on 30 June 2002. The commission reported that there was a compelling case for reform of Victoria's Legislative Council. The government agrees with the commission that the time is right for change to Victoria's constitution to create a fairer and stronger system of parliamentary democracy. This bill is based upon the recommendations contained in the report of the constitution commission, *A House for Our Future*.

In reporting to the government, the commission found that Victorians believe that more frequent accountability of their upper house parliamentarians is important, as is the requirement that Parliament should reflect contemporary views in this increasingly changing society. The commission reported a strong trend in submissions and public feedback in favour of coinciding terms for both houses. Accordingly, the bill answers this need by providing for a fixed four-year term, in which both houses are elected simultaneously in a general election. The bill fixes the four-year term by requiring that an election be held every four years, on the last Saturday in November. Fixing the date of the election in this way means that the electoral process is strengthened through certainty. The Premier of the day will no longer be able to nominate the date of the election and any advantage to the government in choosing the timing of an election is diminished. Even if a dissolution was to occur outside the usual four-year cycle, members subsequently elected to the Parliament will not serve beyond a period of four years.

The commission stated in its report that those who attended the meetings and made submissions demanded maximum participation in the democratic process. The report described that country voters expressed the view that they would prefer to vote for a candidate who understands issues relevant to them. They would be more inclined to vote for a regional candidate residing in a regional area, so that rural issues were voiced in the Legislative Council.

The bill creates a system of proportional representation combined with multimember electorates for the upper house. This method ensures the highest level of regional participation, in a way that is consistent with the democratic principle of 'one vote, one value'. This new system will consist of eight regions, which return five members each. This means that the Legislative Council will now consist of 40 members, as opposed to the current 44 members.

In 2005 the Electoral Boundaries Commission is required to undertake the division of the new regions, in the usual manner under the Electoral Boundaries Commission Act 1982. The new regions will be contiguous with the Assembly districts and each region will comprise 11 districts. These new boundaries will become effective from the dissolution of this current Legislative Assembly.

As recommended by the constitution commission, the bill adopts the commonwealth Senate style of voting for the upper house, with the major reform of optional preferential voting below the line. This means that a voter may choose to vote above the line by marking a '1' in the box or below the line by numbering at least five candidates in their order of preference. Candidates will also be required to disclose on the ballot paper the suburb or locality of their enrolment.

The bill makes a number of other reforms to improve the efficacy of the Parliament and the way in which both houses relate to each other. These new measures start with inserting a new principle of respecting the government's mandate. The inclusion of this principle requires that the Legislative Council will exercise its powers in recognition of both the government's specific and general mandate. This provision is, however, a statement of principle only. It does not compel the Legislative Council to comply with the government mandate but simply asks that the Council undertake its reviewing role whilst respecting the mandate of the government to govern for the people.

At the moment, the Legislative Council can bring about the dissolution of the Legislative Assembly by rejecting supply bills. Earlier amendments to the constitution have made it virtually impossible to force an election by blocking supply during the first three years of the parliamentary term. The position in the fourth year is, however, unclear. As in New South Wales and the United Kingdom, the bill clarifies this position by removing the Legislative Council's ability to block supply. These reforms do not, however, mean that the upper house will be prevented from debating and considering the annual appropriation bills — just that if the Council does not pass a supply bill within one month, the bill must then be presented for royal assent. In this way, the Legislative Council cannot prevent a government from accessing the funds it needs to govern the state.

The bill also establishes a new dispute resolution mechanism that will provide both houses with greater opportunities to consider and debate a disputed bill. This system may involve the Premier of the day dissolving the Assembly and calling an election — or

holding the deadlocked bill over until the next Parliament, following the usual four-year election cycle. Again, if the deadlocked bill is re-presented and fails to pass the Council within two months, a joint sitting may be convened. If the deadlocked bill is passed by an absolute majority of members, it is taken to have been passed by both houses.

The constitution commission also recognised that closer party margins are an inevitable effect of the introduction of proportional representation. This means that where the government is required to provide the Legislative Council with the Presiding Officer, under current arrangements the government would be depriving itself of a substantive vote. This bill addresses this issue by adopting the practice of the Senate — the President will now have a deliberative and not a casting vote. This means that the constituents of the member who is the President will now be effectively represented in the upper house.

As further recommended by the constitution commission, the bill seeks to protect the democratic institutions and procedures that support our government by entrenching both existing and new provisions. These reforms require that bills containing entrenched provisions can only become an act of Parliament if passed by a majority of Victorian voters voting at a referendum; or passage by a special or absolute majority. These reforms mean that the Victorian people will, for the first time in our state's history, be given the opportunity to have a direct say about how their constitution is changed.

The provisions which can only be amended after the proposed change has been approved by a majority of Victorian voters voting at a referendum include, as the constitution commission described, 'core provisions' of our constitution. These are:

the requirement to hold a referendum;

provisions relating to the regions, number of members and quorum of the Council and the President;

provisions relating to the districts, duration of, quorum of and number of members of the Assembly and to the Speaker;

the requirement that there be a session of Parliament each year;

the provision relating to appropriation bills and the inability of the Council to block passage of such bills;

the provision establishing a process for dispute resolution;

the provisions which recognise that local government is a distinct and essential tier of government and the ability of Parliament to legislate in respect of local government;

the provisions ensuring the continuance of the Supreme Court;

provisions establishing the offices of the Director of Public Prosecutions and Auditor-General and matters relating to those offices; and

provisions establishing the executive arm of government and relating to matters of the Executive Council and the tendering of advice to the Governor.

New sections will also be inserted into the constitution which make the Electoral Commissioner and the Ombudsman independent officers of the Parliament. This means these important office-holders will be responsible to the Parliament, not the government, and can only be dismissed by the Parliament. These too will be entrenched by referendum.

Similarly, the bill requires that there will always be an independent body, such as the Electoral Boundaries Commission, to review and settle Victoria's electoral boundaries. The bill likewise guarantees the existence of freedom of information legislation in this state.

The Constitution Act will also 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. The government committed prior to the recent election to amend the constitution to properly recognise local government and safeguard its democratic processes. This bill honours that commitment.

All of these matters I have described will not be able to be changed without recourse to the people of Victoria. Inclusion of the referendum requirement means that the bill must also establish a process for conducting referendums. This new system has been modelled both on New South Wales and the commonwealth, and the best has been taken from both jurisdictions. The Victorian referendum ballot paper is similar to its federal counterpart — ensuring that the Victorian people will be able to maximise their formal vote count by adopting the same method of voting in any referendum in which they are required to vote.

Other procedural provisions are entrenched by means of a special majority, comprising a three-fifths majority of all members of both houses. The requirement for a special majority increases the safeguards for those sections so entrenched, even more so than the absolute majority method which currently features in our constitution.

The provisions that are entrenched by a special three-fifths majority are:

the requirement for a special majority;

the Crown and the Governor;

provisions establishing the constitution and powers of the Parliament;

provisions which deal with the membership of the houses and qualifications of voters; and

the provision which enables a house to relieve a member of the consequences of a breach of the office of profit provisions.

The bill retains the existing framework for entrenchment by an absolute majority for the provisions specifying the absolute majority requirement, the jurisdiction and membership of the Supreme Court and matters relating to judges and masters of that court.

This bill is the culmination of the work of the Constitution Commission Victoria and reflects the views of the Victorian people. I thank all Victorians for their interest and contributions to the reforms in this bill. Finally, in 2003, it can truthfully be said that the Victorian people are the framers of their own constitution. This bill has taken us the next step towards creating a stronger, fairer democracy which is relevant to both the needs and demands of all Victorians in this new century.

I commend this bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrandyte)

Debate adjourned until Thursday, 13 March.

PARLIAMENTARY COMMITTEES (AMENDMENT) BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

The proposed bill will amend the Parliamentary Committees Act 1968 to address the current structure of joint investigatory parliamentary committees to ensure that there is at least one committee broadly responsible for each government department and will allow the committee system to focus on the government's commitments to urban and regional Victoria and education. It is important that the Parliament has an effective committee structure. Parliament works better with all-party parliamentary committees considering a range of issues of interest to Victorians.

As there is no joint committee focusing specifically on the following departmental activities —

rural and regional services,

rural and regional development,

planning and urban expansion of suburbs into rural areas, and

education and training —

the bill will create three (3) new joint investigatory committees, namely the:

Rural and Regional Services and Development Committee;

Outer Suburban/Interface Services and Development Committee; and

Education and Training Committee.

The Rural and Regional Services and Development Committee will inquire into, consider and report on any proposal, matter or thing concerned with the provision of services to and development of regional Victoria. This government recognises that for regional and rural Victoria to prosper further we need to constantly evaluate the way the government delivers services. Any evaluation made will find that a coordinated approach to service and program delivery will ensure the best outcomes for communities in regional and rural Victoria. The focus of the Rural and Regional Services and Development Committee will greatly assist accomplishing such outcomes and the attainment of programs to enhance economic and infrastructure development, investment attraction, job creation and community development in regional and rural Victoria.

The Outer Suburban/Interface Services and Development Committee, on the other hand will inquire into, consider and report on any proposal, matter or thing concerned with the provision of services to, or the development of, the expansion of new urban

regions. This committee will seek to address emerging issues for the expansion of metropolitan Victoria into areas that were previously regarded as regional Victoria. This committee will concentrate on those issues particular to those areas in light of the government's commitment to achieving a sensible balance between the economic development of the state, social growth of communities and the sustainability of Victoria's environment.

Lastly, the Education and Training Committee will inquire into, consider and report on any proposal, matter or thing concerned with education and/or training. Education and training are of great interest to Victorians, and it is important that there be a committee focusing on such issues.

In addition the bill will decrease to nine the number of members who can be appointed to the Public Accounts and Estimates Committee. Consequently this will bring that committee into line with the memberships of the other joint investigatory parliamentary committees established under the Parliamentary Committees Act.

Through the coordination of the committee process and of each committee's respective terms of reference, duplication of effort by those committees will be avoided thereby ensuring the delivery of effective committee processes and outcomes, focused on the government's commitments to the state of Victoria.

I commend this bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrandyte).

Debate adjourned until Thursday, 13 March.

TERRORISM (COMMUNITY PROTECTION) BILL

Second reading

Mr BRACKS (Premier) — I move:

That this bill be now read a second time.

The appalling attacks in Bali and in the United States have highlighted the vulnerability of open, democratic societies such as ours. It is an unfortunate reality that counter-terrorism measures are now issues of the highest importance for the government.

As part of the agreement on terrorism and multijurisdictional crime reached by the states and territories and the commonwealth in April 2002, all states and territories agreed to review their legislation and counter-terrorism arrangements to ensure that they are sufficiently strong to deal with that threat. As a result of that review, the government has developed this bill, which it believes will strengthen our security.

It should be noted that the bill does not comprehensively cover all terrorist activities but rather seeks to plug gaps in areas over which Victoria will continue to have responsibility. It is designed to complement existing commonwealth counter-terrorism legislation. In a linked reform, the government will be introducing a separate bill to refer legislative powers to the commonwealth to provide constitutional support for commonwealth terrorism offences that will apply uniformly throughout Australia.

The bill proposes important new powers and obligations to ensure that there is in Victoria an adequate framework to prevent, and in a worst-case scenario respond to, a terrorist act. While the new measures are robust, they are also finely balanced to ensure that important civil liberties are not unduly infringed.

Part 7 of the bill requires the government to review the operation of the bill in three years time to see whether it is still justified and backs this up with an automatic termination date of 1 December 2006. This is a key safeguard to ensure that the powers are removed from the statute book should the current terrorist threat recede. If the review finds that the legislation is still necessary, is working well and has not been abused, Parliament can repeal the sunset clause.

In proposing this bill I would like to make it clear that the bill is a measure which is designed to protect the entire Victorian community from terrorist acts, which are simply a form of violence. All Victorians of every nationality, creed, religious persuasion, cultural background or political view are entitled to live in a safe community, a community which is free of criminally motivated violent attacks against its citizens for whatever reasons. Clearly the bill does not single out any particular ethnic, religious or political group but rather targets perpetrators of terrorist acts, whomever they may be, whatever their background.

I understand that since the 11 September and Bali attacks members of the Muslim community in Victoria have suffered increased violence against their communities, including property damage and personal violence. These attacks are reprehensible and despicable and damage Victoria's excellent record on community safety. I am proud of this state's multicultural heritage and am confident that we can work together cooperatively with the Muslim

community to ensure that these attacks cease. It was this government which introduced the Racial and Religious Tolerance Act 2001, and I am confident that this legislation, and the bill which I currently put before you, enhances the safety of all Victorians.

I now turn to some of the key aspects of the bill.

Covert search warrants

Part 2 allows a Supreme Court judge to issue a covert search warrant to police where the judge is satisfied that a terrorist act has occurred or is likely to occur and that the covert entry and search of premises would substantially assist police in preventing or responding to it. The judge must consider several factors when deciding whether or not to issue the warrant, including the extent to which the privacy of any person is likely to be affected.

The police will be authorised to enter and search premises or vehicles without the occupier's knowledge, subject to conditions imposed by the judge. In urgent circumstances, the police can apply for the warrant by telephone.

A member of the police force may only apply to the Supreme Court for these warrants if he or she first obtains the approval of the Chief Commissioner of Police, or a deputy or assistant commissioner. This internal approval is required in respect of all applications, including urgent telephone applications, before they can be brought before the Supreme Court.

Once the search under the warrant has been conducted, the police must report back to the court providing details about how the warrant was executed, including listing who entered the premises and which powers were exercised. The chief commissioner must also report annually to the Attorney-General on a range of matters such as how many applications for covert warrants were made, and how many were refused, the number of premises covertly entered and any other information the minister considers appropriate. This report will be tabled in Parliament to ensure public scrutiny and debate about the use of covert search warrants.

Powers to detain and decontaminate

Part 3 gives police special powers in the event of a chemical, biological or radiological attack, recognising that they are likely to be first on the scene. The bill allows senior police to authorise the exercise of certain powers to protect persons from chemical, biological or radiological contamination where they believe that a terrorist act may have occurred and that an area, or persons in it, may have been exposed to contamination.

To prevent or limit the spread of contamination, authorised police may direct persons away from or into any area, detain a person and direct a person to submit to decontamination procedures carried out by others. If a person refuses to comply with a direction given under this part, the bill authorises the use of reasonable and necessary force to ensure compliance.

Clause 14 sets out a guiding principle for the new powers. In giving an authorisation or exercising the powers, no unnecessary restrictions on personal privacy or liberty should be imposed. An authorisation itself lasts for a maximum of 8 hours, unless it lapses earlier.

The bill does allow an authorisation to be extended for up to a further 8 hours, but only if approved by the chief commissioner, the deputy chief commissioner or an assistant commissioner, with the agreement of health authorities, for the purpose of protecting public health.

Mandatory reporting of theft of prescribed chemicals and other substances

The events in Bali revealed that many widely used chemicals can be used to make powerful explosives. Obtaining information about the theft or loss of particular chemicals could assist police in preventing a terrorist attack.

The bill obliges occupiers of premises who become aware of the loss or theft of prescribed chemicals to notify the police without delay. Failure to comply will be an offence. Regulations will be developed, in close consultation with police, technical experts and industry, to prescribe the relevant chemicals and their quantities. Care will be taken to ensure the reporting obligation does not impose unrealistic or unnecessary burdens on the community.

In the longer term, the government is committed to working with the Council of Australian Governments in developing a more far-reaching national approach to the regulation and control of hazardous substances.

Protection of counter-terrorism information

Part 5 of the bill contains measures to protect the confidentiality of sensitive police investigative methods in appropriate cases. Part 5 enables courts and tribunals to protect counter-terrorism information from disclosure in legal proceedings if satisfied that disclosure would prejudice the prevention, investigation or prosecution of a terrorist act, or suspected terrorist act, and that there is a greater public interest in

preserving the confidentiality of the information than there is in disclosing it. 'Counter-terrorism information' means information about covert methods of investigating terrorist acts.

The bill provides guidance about the sorts of matters the court or tribunal should consider when weighing up the balance, including the nature of the proceedings in question and the importance of the information to them, which of the parties is seeking disclosure, and the effect which disclosing the information would have.

Essential services infrastructure risk management

The government regards the security of Victoria's essential services as a matter of the highest priority. Terrorist attacks targeted at these services may cause serious injury or loss of life, and have the potential to impact on the social and economic wellbeing of the state. Many of our essential services are privately owned. It is a matter of sound corporate governance for these private owners to put in place plans to safeguard their assets from terrorist attack. I understand that many private sector owners are already undertaking this task. However, the government recognises that it has a role in working with private industry to ensure that appropriate plans are in place to prevent and respond to and recover from acts of terrorism.

Since the 11 September attacks in the United States, the government has initiated major reviews of the terrorist threat to Victoria's essential services. To complement the work being done by the government, this bill requires essential service operators to undertake risk management measures in respect of the terrorist threat.

Operators of essential services may already have risk management initiatives in place as part of their business strategies. However, where an essential service is declared under this legislation, the operator of that service will be required to ensure that the specific risk of terrorist threats or acts is addressed. The operator will be required to undertake risk management planning, auditing and training exercises.

The legislation also takes account of the fact that many essential services are interdependent and that this interdependence must be considered in the overall preparation of plans. In this way, essential service operators can have confidence that counter-terrorism measures are in place in relation to services upon which they themselves may rely.

Victoria Police and relevant government agencies will assist owners and operators of essential service infrastructure in developing their risk management plans. Victoria Police will supervise the training exercises developed by operators to test the plans. The police and other relevant government agencies will provide important advice to essential service operators in this respect, and their role is fundamental to the cooperative basis which is necessary to ensure that adequate risk management initiatives are in place. This will ensure that risk management plans will include appropriate consideration of terrorism.

The government is committed to working cooperatively with private industry to ensure the security of our essential services infrastructure. Given the importance of addressing the terrorist threat, and the key place of essential services in our community and economy, a legislative framework is necessary. The legislation provides a framework in which this cooperation will take place. However, it also includes powers of compulsion to ensure that operators of essential services undertake the required risk management activities. The government trusts that through working together with industry on these issues, the occasions on which the government might need to invoke these powers would be uncommon.

Freedom of information: new security exemption

Governments need to work cooperatively to tackle the terrorist threat. A key part of this involves improving intelligence sharing between security and law enforcement agencies and government. This in turn requires confidence that information shared will be protected from inappropriate disclosure.

Part 8 of the bill amends the Freedom of Information Act 1982 to create an exemption from the requirement to disclose documents if they affect national security, the defence of the commonwealth or international relations. The new exemption is closely modelled on the corresponding exemption in the commonwealth Freedom of Information Act 1982.

The bill enables a department head or the Chief Commissioner of Police to conclusively certify that a document falls within the exemption and refuse access. The person seeking release of the document can apply to the Victorian Civil and Administrative Tribunal (VCAT) to determine whether there are reasonable grounds for the claimed exemption. The bill allows only the most senior VCAT members, judicial members, to decide these applications.

If VCAT decides that there are no reasonable grounds for the claimed exemption, it must notify the responsible minister, who must then decide within 28 days whether or not to revoke the certificate and release the document. Where the responsible minister

decides not to revoke the certificate, he or she must notify the applicant of the reasons for that decision and attach a copy of the VCAT determination, and also table these documents in Parliament. This latter requirement will ensure that responsible ministers will only act on the power to override VCAT's ruling on the original certificate in appropriate circumstances.

The government will continue to work to ensure that everything possible is done to enhance our state's capability to face the terrorism threat.

I commend the bill to the house.

Debate adjourned on motion of Mr HONEYWOOD (Warrandyte).

Debate adjourned until Thursday, 13 March.

FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL

Second reading

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

That this bill be now read a second time.

In the aftermath of the Port Arthur incident in April 1996, the Australasian Police Ministers Council (APMC) entered into the national firearms agreement. Under that agreement, broadly uniform regimes for the regulation and licensing of firearms were put in place in all states and territories.

Australian governments have subsequently entered into two further agreements to enhance community safety while preserving the privileges of responsible firearms owners.

The first, the handgun control agreement, arises from the tragic events at Monash University on 21 October 2002 and the community's resultant demand to restrict the availability and use of handguns, particularly concealable handguns, for target shooting purposes to minimise the risk of future tragedies. That agreement will significantly strengthen controls over access to handguns throughout Australia.

The second, the firearms trafficking policy agreement, is designed to provide a broadly national approach to allow police to better detect and deter the illegal trade in unregistered firearms, which is an issue that has come to police attention nationally in recent years.

This bill will amend the Firearms Act 1996 to give effect to these two agreements in Victoria by:

restricting the range of handgun target shooting matches in which sporting shooters can compete, and the handguns that can be used for those legitimate shooting matches;

providing for a system of graduated access to handguns for target shooting based on training, experience and match participation;

giving shooting clubs greater access to information by requiring a prospective member to produce a police clearance prior to acceptance as a member, information on other shooting clubs a person belongs to, and their current firearms ownership;

allowing the Chief Commissioner of Police to refuse and revoke firearms licences and applications on the basis of criminal intelligence;

increasing penalties and introducing new offences relating to the illegal disposal and acquisition of firearms — especially with respect to handguns;

introducing a new penalty for a subsequent finding of guilt for possession of an unregistered firearm;

introducing new interstate trafficking provisions;

introducing a new requirement for dealer licence applicants to disclose their 'close associates' to the chief commissioner, and for certain information about those 'close associates', including a full set of their fingerprints, to be provided to the chief commissioner; and

allowing some handguns, which may not be possessed by anyone, other than for very strictly controlled purposes, to be prescribed in regulations to be category E handguns.

Handguns available for target shooting

COAG agreed to restrict the classes of legal handguns that can be imported or possessed for sporting purposes to those meeting recognised sporting shooter classifications in the Olympic and commonwealth games and other accredited events. Those target shooting disciplines and matches that will be available to target shooters for the purposes of retaining ownership of handguns will be prescribed in regulations.

Handguns will generally be available in 27 matches in seven target shooting disciplines for competitive target shooting purposes, and will be restricted to:

a maximum calibre of .38 inches, other than for specially accredited handgun events, which will be prescribed in regulations, in which handguns will be available up to a maximum calibre of .45 inches;

a minimum barrel length of 120 mm in the case of semiautomatic handguns, and a minimum barrel length of 100 mm for revolvers and single-shot handguns; and

a maximum magazine capacity of 10 rounds.

However, in line with the handgun control agreement, highly specialised target pistols will be allowed irrespective of their barrel length, as often they are large, visually distinctive and not readily concealable due to their overall size. Handguns used for prescribed approved black powder matches may be prescribed to be permitted for target shooting in other calibres.

Minimum participation rates for continued access to handguns for the purpose of target shooting

COAG agreed that target shooters needed to show a dedication to the sport in order to maintain possession and use of handguns. In order to achieve that end, the bill will require people who wish to retain handguns for target shooting to compete in a minimum number of competitive target shooting matches.

Each year a licensee will be required to compete in a minimum of four competitive approved target shooting matches for each type of handgun that he or she possesses per annum, and an overall minimum of 10 competitive approved target shooting matches per annum. For example, a person who possesses only one .22 calibre handgun will have to compete in a minimum of 10 competitive approved target shooting matches per annum, whereas a person who possess a .22 calibre handgun, a .32 calibre handgun and a.38 calibre handgun will have to compete in a minimum of 12 competitive approved target shooting matches.

A person who fails to meet the minimum participation requirements will be compelled to surrender either the handguns for which he or she has failed to meet the requirements, and, if he or she has failed to meet the overall minimum requirements, the handgun licence. However, the bill will enable a person who will not be able to meet the requirements because that person is temporarily incapacitated or will be absent from the jurisdiction to apply to the chief commissioner to retain their handguns after entering into safe storage arrangements. This application must be made in advance of the failure to meet the participation requirements.

Graduated access to handgun licences

The handgun control agreement requires the imposition of a graduated scheme of access to handgun licences for target shooting.

The bill will provide that a person must be a member of an approved handgun target shooting club for a minimum of six months before he or she is entitled to apply for a general category handgun licence. During this time a person will have to:

demonstrate that he or she has a good knowledge of firearms and firearms laws;

safely participate in the number of approved target shooting matches;

demonstrate that he or she can comply with the storage requirements of the act; and

successfully complete an approved handgun safety training course.

The approved club must also endorse any application by the member before it can be considered by the chief commissioner.

During the first six months of a person holding a general category handgun licence, the bill will ensure that that person may only possess a maximum of two handguns — and each application for a permit to acquire one of these handguns must be endorsed by an approved target shooting club to which the person belongs. During this period the person will be able to possess one .177 calibre air pistol, and either one .22 calibre pistol or one centre-fire pistol. This requirement will ensure that a person cannot acquire a large number of handguns quickly after first obtaining a general category handgun licence.

The bill will provide that any application for a permit to acquire a handgun made after this period will also have to be endorsed by the approved club to which the person belongs.

The bill will also prevent a person who is not a member of an approved handgun target shooting club from shooting on an approved range without a temporary use permit. A temporary use permit will be available, for a period of up to seven days, to a person who wishes to try out the sport before joining a handgun target shooting club. If a person has obtained three temporary use permits and wishes to pursue their interest in handgun target shooting, the person will be need to become a member of an approved handgun target shooting club and undertake the process required to

become licensed to possess and use handguns for target shooting as a person may apply for a maximum of three of these new permits.

Collectors of firearms

While the Handgun Control Agreement is principally concerned with the use of handguns for target shooting purposes, it requires some amendments to the act for handgun collectors.

The bill replaces the existing firearms collectors licence with two new firearms collectors licences.

A category 1 handgun licence will be required for a person who wishes to collect long arms and handguns manufactured prior to 1 January 1947. This category of collector licence will remain generally available to collectors who meet all of the licensing and safety requirements prescribed in the Firearms Act.

However, collectors wishing to possess handguns manufactured on or after 1 January 1947 will be required to obtain a category 2 firearms collectors licence. A collector wishing to collect these handguns will be required to demonstrate a greater degree of commitment to the collection of historical arms.

Importantly, the requirements for museums will remain unaffected.

Registration of all handguns

The bill will ensure that all handguns must be registered in Victoria. At present, firearms manufactured prior to 1900 for which ammunition is not commercially available, are not subject to the registration requirements set out in the act.

This new registration requirement will mean these handguns need to have a unique identifier attached to them. However, the bill also provides that a person who has a particular reason not to have a unique identifier affixed permanently to the handgun — for example, to preserve its historical significance or value — will be able to apply to the chief commissioner to fix the serial number to the firearm other than by stamping. Where a unique identifier is not stamped on to a firearm in accordance with the new provision, the chief commissioner will be able to impose conditions on the licence, including requiring increased security arrangements in the location in which the handgun is stored.

Extension of the immunity for approved clubs

Section 183 of the act provides for an immunity from civil and criminal liability for certain classes of medical professionals and officials of gun clubs when they provide information to police in good faith that, in their opinion, a person is not fit and proper to possess, carry or use a firearm.

The act applies to registered medical practitioners, registered psychologists and registered nurses. The COAG agreement requires that the immunity be extended to a number of other classes of health professionals.

The bill will apply the immunity to prescribed classes of social workers and professional counsellors.

The immunity will be extended by the bill to apply in situations where the bill requires nominated officials of approved shooting clubs and approved firearms collectors clubs to report in good faith to the chief commissioner their reasonable belief that a member is not a fit and proper person to possess and use firearms. This provision will assist Victoria Police to ensure that only people who are fit and proper to obtain and maintain their firearms licence in fact do so.

Refusal and revocation of firearms licences on the basis of criminal intelligence

The bill will give the power to the chief commissioner to refuse or revoke a licence under the act on the basis of criminal intelligence.

It is in the interest of public safety that persons thought by police to present a safety risk are not given access to handguns under the licensing system. Where a person is the subject of a covert investigation or intelligence operations reveal the person is associated with serious criminal behaviour, it is not in the public interest for the chief commissioner to grant him or her a handgun licence. It is expected that the chief commissioner, who must make this decision personally, would not refuse or revoke a licence on the basis of criminal intelligence in the absence of very strong information that the life or safety of a person is at risk as a result of the subject having access to handguns.

A person who has a handgun licence refused or revoked by the chief commissioner on the basis of criminal intelligence will have the opportunity to apply to the Supreme Court for a review of the chief commissioner's decision. The government considers that the Supreme Court should retain its existing discretion to determine whether the secrecy of the criminal intelligence should be maintained, rather than

the act imposing a blanket prohibition on its disclosure. This position is consistent with the government's policy on an open and transparent court system. However, given the serious circumstances in which the chief commissioner would make such a decision, the government expects that the Supreme Court would exercise its existing discretion to preserve the secrecy of the criminal intelligence in appropriate circumstances where a person's life or public safety would be put at risk as a result of the criminal intelligence being made public.

Firearms trafficking

As indicated earlier, the bill will also implement the Firearms Trafficking Policy Agreement for Victoria. The bill will not only make it more difficult for criminals to access firearms in Victoria, but will help to maintain the principle of uniformity essential to the efficacy of the national agreement.

In acknowledging that the greatest risks to the community are posed by illegal firearms, the bill will significantly increase penalties for people found guilty of firearms trafficking or who otherwise possess, use or sell firearms outside of the licensing and registration system. The bill will help police to better detect and deter people from possessing and using illegal firearms.

Category E handguns

The bill will remove some classes of handguns from the ordinary class of handguns and create new restrictions on those handguns that are not appropriate or desirable for possession by any ordinary law-abiding firearms owners. The new category E handgun category will consist of models of machine pistols and handguns that are prescribed in regulations so that they are not readily available to people who have a general category handgun licence. The bill broadly equates those handguns to the category E long arm licence category in the act.

A person who wishes to possess one of these handguns will need to be able to demonstrate a compelling reason why they need to possess one. This will be over and above the 'genuine reason' requirement imposed under the national firearms agreement. The maximum penalties for a breach of the controls on category E handguns will be broadly the same as those for category E long arms which, owing to the nature of these firearms, are the most severe in the Firearms Act. The chief commissioner will also be able to place any conditions on a category E handgun licence that she or he considers to be appropriate in the circumstances. However, in recognition of the serious risks to public safety posed by these types of handguns, some of the penalties are significantly increased by the bill.

Increasing the penalties for the illegal possession, carriage or use of firearms

Experience has shown that simply apprehending the final buyers and sellers of unregistered firearms has little or no long-term impact on the trade in prohibited firearms. In order to effectively reduce the number of unregistered firearms in circulation, it is necessary to both identify and eradicate the source from which these firearms flow to the black market and to introduce harsh penalties as a deterrent to repeat offending.

The possession, carriage and use of unregistered firearms is a very serious matter because it flies in the face of firearms laws by subverting the licensing and registration system which is the cornerstone of the national agreement. Unregistered firearms, and particularly unregistered handguns, are the firearms of choice of firearms traffickers.

It is because the trade and use of unregistered firearms is so serious that the bill significantly increases the maximum penalties for possession, carriage and use of unregistered firearms in the act. Possession of an unregistered general category handgun will attract a maximum penalty of seven years imprisonment, and acquiring or disposing of a general category handgun other than through a licensed firearms dealer will attract a maximum penalty of five years imprisonment. Where the handgun is a category E handgun, unregistered possession will attract a maximum penalty of 14 years imprisonment and acquiring or disposing of the category E handgun other than through a licensed firearms dealer will attract a maximum penalty of 10 years imprisonment.

In addition to these penalties, any person who is in possession of a trafficable quantity, defined as 10 or more, unregistered firearms, without having notified the Chief Commissioner of Police that the unregistered firearms require registration, will commit an offence and be subject to a maximum penalty of 10 years imprisonment or 1200 penalty units. A person who finances a trafficking operation will face maximum penalties of 600 penalty units or seven years imprisonment. Introducing this provision will take away any protection that the current form of the law may afford to criminals operating behind the scenes in arranging and financing firearms transactions that are contrary to the act.

The bill also introduces a subsequent offence penalty provision to better differentiate between those persons

who organise and profit from the trade in unregistered firearms and those who commit one offence against the act. The bill provides for the maximum penalty for a subsequent offence to be 10 years imprisonment in the case of a general category handgun and 17 years imprisonment in the case of a more dangerous category E handgun.

Improving recording provisions with respect to firearms

The registration and licensing of firearms can only be effective where the firearm bears a unique identification or serial number and can, therefore, be effectively monitored by police. A number of firearms are manufactured without serial numbers. This loophole can give traffickers a significant opportunity to divert firearms from the legal firearms market.

To prevent this opportunity, the bill includes a provision that will ensure that a registrable firearm that does not bear a unique identification mark cannot be registered until a unique identification mark has been stamped on to the firearm. Engraving a unique identification mark is not considered satisfactory as it can be easily removed for criminal purposes.

The removal of serial numbers makes it almost impossible for police to monitor the movement of firearms, or to determine the correct make of the firearm. It is a key technique used by firearms traffickers and criminals in an attempt to avoid detection. The technique lessens the value of a firearm for a genuine collector and makes legal resale extremely difficult.

The present maximum penalty for obliterating a serial number is 240 penalty units or four years imprisonment. To reflect the seriousness of this action, the bill increases the maximum penalty to 600 penalty units or seven years imprisonment.

The bill also makes it an offence to possess a firearm on which the serial number has been defaced or altered. As this is another of the key techniques of the firearms trafficker, it will attract a substantial maximum penalty of 240 penalty units or four years imprisonment.

The bill will also improve the recording provisions with respect to firearms in several other ways.

The bill creates an obligation in the act to ensure that a person must seek the permission of the Chief Commissioner of Police before that person may alter the licence category of a firearm, and a person must advise the chief commissioner within seven days if he or she alters the calibre of a firearm within the same licence category. These provisions will apply in all circumstances other than where the alteration of a calibre is provided for in the original manufacture of the firearm — for example, competition handguns with interchangeable barrels.

The close associates of firearms dealers

The bill will amend the Firearms Act to introduce a requirement for licensed firearms dealers to disclose their ‘close associates’ when applying for a firearms dealer licence. The intent of this proposal is to ensure that the holder of a firearms dealer licence is the actual person primarily responsible for the management of the firearms business named in the licence and is not merely a ‘front person’. It will ensure that prohibited persons cannot use ‘front people’ to continue to do what they are prohibited from doing themselves.

It is also designed to strengthen the existing act by ensuring that anyone who has a financial interest in the assets or capital of a firearms dealership, or participates in the management of a firearms dealership, is fit and proper to do so.

The Firearms Act 1996 currently requires a person with a firearms dealers licence and any person that works in a firearms dealership to provide a full set of their fingerprints with the licence application. It is proposed to extend the requirement to disclose the full name and address of any close associate to requiring a full set of fingerprints from any close associate. This requirement will ensure that the requirement to disclose the people managing and working in a firearms dealership is consistent with the requirements imposed on licence applicants and any employees of the applicants that currently exists under the act.

The bill provides for the Chief Commissioner of Police to receive information about the close associate held by other law enforcement agencies in Australia or overseas, in circumstances where it is not possible to obtain a full set of that person’s fingerprints. It is expected that, in practice, this provision will be utilised only where a full set of fingerprints cannot be obtained from a close associate who is resident in a foreign country.

A person whose close associates are not fit and proper persons should not be able to hold a firearm dealers licence. Where the close associates of a dealer or dealer applicant are not fit and proper persons, the chief commissioner must not issue a firearms dealers licence.

Other trafficking offences

It is proposed to better prevent the manipulation of the licensing and registration system by increasing the scope of trafficking-related activities that are recognised as illegal under Victorian law. To that end, the bill also makes a person a prohibited person if the person has been convicted of a conspiracy offence anywhere in Australia within the past 10 years. This means that any person who is imprisoned for an offence against sections 321 or 321A of the Crimes Act 1958 in Victoria, or against an equivalent provision in any other state or territory or the commonwealth, cannot have a firearms licence for 10 years after they are released from prison.

In addition to these provisions, the firearms policy trafficking agreement requires that the commonwealth government introduce a cross-border firearms trafficking offence with a substantial maximum penalty.

Clause 69 amends section 190 of the Firearms Act 1996 stating that it is the intention of section 183 (as proposed to be amended by clause 69 of this bill) to alter or vary section 85 of the Constitution Act 1975.

I wish to make the following statement under section 85 of the Constitution Act 1975 of the reason for altering or varying that section by the proposed clause 69. That clause extends the immunity from civil or criminal proceedings granted by section 183 of the Firearms Act 1996 to particular classes of medical professionals and officials of shooting clubs who report to police their belief that a patient or member respectively is not a fit and proper person to possess firearms. This is necessary to ensure that these people are able to assist in protecting community safety by alerting the chief commissioner to persons who are not, in their belief in good faith, fit and proper people to possess firearms.

The Firearms (Trafficking and Handgun Control) Bill will allow responsible shooters who are law-abiding owners of handguns to continue to pursue their sport while enhancing community safety by:

reducing the range of handguns available to those used in legitimate sporting events;

restricting access to handguns for people who have not participated in competitive shooting matches with, and do not have the support of, legitimate sport shooting clubs; and

making it more difficult for organised criminals to circumvent the licensing and registration systems under the Firearms Act.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Scoresby).

Debate adjourned until Thursday, 13 March.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 26 February; motion of Ms LOBATO (Gembrook) for adoption of address-in-reply.

The SPEAKER — Order! I call the honourable member for Mulgrave. I advise the house that this is the inaugural speech of the honourable member and I ask for the normal courtesies to be observed.

Mr ANDREWS (Mulgrave) — Firstly, Speaker, I congratulate you on your elevation to such high office.

It is a great honour to stand in this chamber as the honourable member for the new Mulgrave district. To be chosen to serve as my local community's representative in this place is truly humbling. I am conscious of the trust that has been placed in me and I commit myself to every member of my constituency, regardless of their political persuasion, and I will be always mindful of their needs as individuals and as a community.

I am also honoured to have been appointed as the parliamentary secretary for health. It is an important role and I am grateful for the opportunity to serve. But as pleased as I am to stand here today I am sure honourable members will allow me to express an equal delight in being surrounded by so many Labor colleagues. Never before have so many Labor members sat in this chamber or indeed the other place. Never before has any government received such a comprehensive endorsement from the Victorian people.

On 30 November last year Victorians endorsed a government that has stayed focused on the things that are important to us all, the services we all rely on no matter where we live or what we do for a living: hospitals when we are sick; schools to give our kids the best start possible; and a police force that is given the resources it needs to fight crime and make our community safer. These are the things that define state politics — at least they should. These are the things with which good state governments concern themselves. I am proud to say that I am part of a government that is absolutely committed to better basic services for all Victorians.

Equally, I am proud to be part of a team committed to a fair and equitable industrial relations system, a government that is open and accountable, and an administration committed to the sound financial management that delivers a strong modern economy, an economy that has produced economic and employment growth that leads the nation.

It is also a government that governs for all Victorians, for the whole of the state. Having grown up in the country town of Wangaratta — in the electorate held by the honourable member for Murray Valley — I understand that our state extends well beyond the central business district and into suburbs like Mulgrave, Springvale North, Noble Park North and Wheelers Hill in my own electorate — and right throughout regional centres and rural communities.

It is also a government that makes promises and keeps them. These are the hallmarks of the Bracks government, and these are the reasons why and I and my colleagues are seated on this side — indeed both sides — of this house.

I come to this place after 10 years involvement in the Australian Labor Party, first as a rank and file member, then an electorate officer and finally a party official. Most recently I have been privileged to work as the assistant state secretary of our great party. It was a challenging and rewarding job and an office I am honoured to have occupied.

My time in the Labor Party has been dominated by the machinery of politics, the contest between competing agendas and the running of campaigns. This is a background that brings a passion all of its own. My background has bred a great faith in our system of government and a real belief in the office of a member of Parliament.

From working with and for members of this place and the commonwealth Parliament, I have become convinced that we can each make a difference, not in any clichéd way but in the practical affairs of the families that form our local communities, in the provision of the services they each rely upon and in the representation of the issues they consider important.

My experiences have taught me that hard work and a commitment to listening to people are the keys to being an effective representative. I hope I can put these lessons to good use in this place.

Having spoken a little bit about my background, I now want to talk about my electorate and some of the issues that are important to my local community.

Mulgrave is a new electorate, but as some in this place will know, I am not the first member for Mulgrave. Reginald John Wiltshire served as the member for Mulgrave between 1958 and 1967. He was the member for Dandenong before that time and later represented the Syndal electorate in this place. While 1958 is a long time ago, some things still ring true.

In preparing for today, I took the time to read many of Mr Wiltshire's contributions in this place. I was struck by the fact that he was focused then on many of the issues that confront us now — things like roads and traffic congestion, public transport, the need for new and improved local schools, demand for public housing and the protection of our natural environment. Many of Mr Wiltshire's concerns remain challenges for our community today and priorities for me as the member for Mulgrave.

Despite these similarities, Mulgrave is a very different place today. Many honourable members may be surprised to learn that Mulgrave is the seventh most multicultural electorate in this chamber. Just under 50 per cent of local residents were born outside Australia. Many are postwar migrants and others have made Melbourne's south-east their home in more recent times. This diversity provides challenges, but at the same time it is a rich part of our vibrant local community. Multiculturalism is not a concept or a construct in my electorate. It is reality. It is workplaces and neighbourhoods, classrooms and playgrounds.

Just last week I had the pleasure of visiting two schools in my electorate to present badges to newly elected school captains. Looking out over the school assemblies I was left with no doubt that these kids will grow up unconscious of the many external differences that seem to dominate the thinking of some in our community. Our diversity is our strength. So too is our acceptance and tolerance. I am committed to a celebration of our differences and the defence of our diversity. I support multiculturalism, but I recognise that some in our community have a different view.

Each of us in this place must promote and defend the tolerance and acceptance that set us apart, and we must oppose those who put short-term political advantage and strategies of fear ahead of respect, tolerance and harmony.

Deputy Speaker, I have outlined the focus of the government, its priorities and its approach. But what does this mean for Mulgrave residents? It means a great deal indeed.

I want to summarise the government's achievements in my local community, because they are each substantial and involve issues that remain challenges for our future. Just take health services: over the last three years this government has provided funding for 250 extra nurses across the Southern Health Service, funded stage 2 of the Dandenong Hospital redevelopment and invested more than $5 million in new medical equipment. Waiting lists are falling and hospitals serving my community are treating more patients than ever before. Over the life of this Parliament $34 million will be spent upgrading Dandenong Hospital and Monash Medical Centre in Clayton.

In roads and public transport, this government has spent more than $2.7 million improving local roads across the cities of Monash and Greater Dandenong, funded the Smart Bus pilot and delivered the biggest boost to bus funding in 30 years. This government has also provided well over half the funding for the new Scoresby freeway — a project of critical importance to my local community, our region and our state.

In education, Mulgrave schools have more teachers and smaller classes and have benefited from record levels of investment — for instance, capital improvements totalling more than $4.9 million.

In fighting crime and making our community safer, local police stations have 18 extra uniformed officers and soon the southern half of my electorate will be serviced by a new, $9.5 million police station in Springvale. These are not merely words; these are realities that have impacted on thousands of families in my constituency. These are the issues that are important to my community, and they are my focus as their representative in this place. Over the next four years I look forward to continued improvements in local services and to being part of the implementation of each of Labor's commitments to my community and all Victorians.

I look forward to helping tackle other emergent and important issues like sustainability and the protection of our natural environment, the management of our precious water resources and the balancing of work and family life. It is true to say that none of us gets to this place on our own. We each require the support firstly of our constituencies, but on a more personal note we each need the support of our family, countless volunteers, our political parties and many more.

I want to take this opportunity to register my gratitude to a number of key supporters without whom my election would not have been possible: people like Alan Griffin, the federal member for Bruce — as my former employer, political ally and good friend, I have learnt much from Alan, I owe him a great deal and I thank him for his support; the Minister for Aboriginal Affairs and Aged Care in the other place, the Honourable Gavin Jennings, whose friendship and support have always been important to me; a host of head office officials and staff, both past and present, not least of whom are the Minister for Finance and the Leader of the Government in the other place, the Honourable John Lenders, whose dedication and attention to detail are a lesson to us all; and others like David Feeney, Roland Lindell, Abbey Howe, Karen Sherlock and the many support staff whose commitment is so clear; local political activists like Ray de Witt, Patricia Gibson and Lee Tarlamis; and trade unionists like Michelle O'Neil, Martin Foley from my own union, the Australian Services Union, and the now Senator Gavin Marshall.

I also want to thank my family who are in the gallery today, especially my parents and parents-in-law, my grandmother and, of course, my wife Catherine — someone who has made great sacrifices in order to support me and my path into this place. I thank her for her love and unwavering support, specifically her sole parenting of our wonderful six-month-old son Noah. The Attorney-General says that I am a shocker, but I suppose his son may well benefit from a very busy autumn session as mine did from a very busy election campaign. The first three months of his life was an especially busy time.

There is one member of my family who sadly cannot be here today — my grandfather, Michael Joseph White, who passed away three years ago at the age of 87. He is in my thoughts today, and I am conscious that he would have taken much pride in my election to this Parliament. As a career railway worker and trade unionist, he is a constant reminder to me of the dignity that belongs to working men and women. He was possessed of a quick wit and once told me that it was better to remain silent and be thought a fool than to open one's mouth and remove all doubt. I hope in my contribution today I have not advanced that theory.

In conclusion, can I say that I believe this is an honourable profession — an opportunity for public service that can lead to real improvements in our local communities and right across our state. I look to the future and hope to be an active and effective representative for my local community.

Finally, Deputy Speaker, I thank the people of Mulgrave for the opportunity and responsibility they have given me, and I thank the house for the courtesy extended to me today.

Mr CLARK (Box Hill) — I join in the debate on the address-in-reply to the Governor's speech and pay my respects and those of my constituents to the Governor, as the representative of our head of state, and to Mrs Landy.

I want to look at some of the issues that are likely to face the government and the people of Victoria over the forthcoming term of the Parliament, particularly in relation to state finances. In its first term the Labor government had the benefit of the financial legacy it inherited from the previous coalition government — the strong finances, the strong economy and a strong public service. However, during the course of its first term that legacy was whittled away. The surpluses are now nearing the minimum set by the government itself as its target, the state economy is falling back through the economic pack and good people have consistently been leaving or been ejected from the Victorian public service.

Thus it is that Access Economics is now warning that the good times may be coming to an end for the Victorian economy. I quote in particular from page 97 of the Access Economics *Business Outlook* of December 2002, which says in relation to the Victorian economy:

> Yet some of that recent state success has been built on shifting sands. Housing activity in particular has rested on twin pillars — the return to faster population growth evident in recent years, and the stunning surge in housing prices in Melbourne.

Later on Access Economics observes:

> But as we have warned clients before, we believe that the housing construction cycle in Victoria has gotten ahead of itself. That is perhaps most evident in inner-city apartments, but it is also true for freestanding family homes. Some types of housing in Melbourne are now oversupplied, and forward indicators of housing activity are showing signs of the wobbles.

Access Economics then observes:

> But the return to strength evident in the Victorian economy over the past decade saw a return of many economic refugees. In turn, that further added to demand growth. So the virtuous cycle may break if the Victorian economy stumbles notably relative to that for Australia as a whole. And certainly any extended downturn in housing construction could cut 1½ per cent off GSP gains in 2003–04.

The diminution of the calibre of our public service is now becoming evident, for example, in the irregularities relating to the Docklands film and television studio tender that have been so graphically highlighted in today's Auditor-General's report on public sector agencies. It may also be reflected in the $12 million loss reported by the Melbourne Market Authority over its failed Freshchain project.

So the test for the government in this forthcoming term will be how it shapes up to a challenging future. It has a clear mandate, and now it is up to the government to deliver and to be judged on what it does or fails to do. So far it has shown no signs of living up to its responsibilities. It persists in being a government of excuses. It was striking when the first notices of motion were given yesterday that motion after motion condemned the federal government.

Members of the Labor government exhausted themselves last term by blaming everything through to the state of the weather on the Kennett government. Perhaps they are at last getting the message that Victorian voters think that excuse is wearing a bit thin. So now they are shifting their focus to the federal arena, and absolutely everything is going to be the responsibility of the federal government. Problems are nothing to do with government members; they are not the federal government and so do not have to be accountable! In fact this government is very much a Peter Pan government. It is always at heart an opposition, even when it wins an overwhelming mandate. It never truly grows up or realises the responsibility that is incumbent on it as a government to deliver rather than be constantly attempting to point the finger at someone else and look to someone else to do the work and tackle the issues facing the community.

Let us look in particular at how the government is handling the current financial and economic situation. There is probably one point of agreement across the table, and that is that we are facing more difficult economic times than we have had in the past. The Treasurer has been quoted on several occasions as referring to that. You always have to take pre-budget remarks by treasurers with a grain of salt.

They would not be doing their duty if they were not trying to downplay expectations. The big unknown in the fiscal mix that will come out on paper in the May budget will be the revenue projections for the coming budget year, which are always a matter of judgment and depend on Treasury officers' estimates.

However, subject to that caveat all the portents point to our facing much more difficult fiscal circumstances. The key question is what the reason is for those more difficult fiscal circumstances.

Mr Nardella — Bushfires, drought.

Mr CLARK — I thank the honourable member for Melton for referring to drought and bushfires, because

he just about took the words out of my mouth. Those have indeed been the two key reasons advanced by the Treasurer as to why he alleges that next year's budget is going to be a lot tighter than it would have been. But when you look at the details of those claims you see that many of them are absolutely nonsensical. The Treasurer is shifting his claims between one budget year and the next. He might seek to pull the wool over the eyes of his backbench and those journalists who take him on trust, but what has to be recognised is that the vast bulk of the expenditure on drought and bushfires is taking place in this fiscal year, 2002–03. It is not taking place in 2003–04, which is the year for which the budget is being prepared.

In fact that is borne out by the government's own mid-year budget update. If you look at the figures for the additional initiatives that have taken place since budget time, you will see that for the Department of Natural Resources and Environment — as it is referred to on page 89 of the *2002–03 Budget Update* — all the drought assistance committed by the government at the time of that report on 15 January takes place in the current fiscal year.

Media reports have referred to the costs of fighting the absolutely horrific bushfires that Victoria has experienced over recent weeks. Those bushfires have indeed caused significant costs to the community for firefighting and related activities, as has been claimed in media reports, but again those expenses are for the current year.

The question in regard to the tight budget for next year is how much expense is going to be incurred the next year either in drought measures or in bushfire restoration measures that is additional to those already announced. Despite the very worthy sentiments expressed by the government and the whole Parliament, and despite the urgings by honourable members on this side of the house for the government to get on with taking action to help the community recover from the bushfires, what the government is doing about budget commitments for the next fiscal year is at present extremely nebulous indeed. In fact the only specific reference that I have been able to find to the government's fiscal commitment that may carry over into next financial year is in an article in the *Sunday Age* last Sunday, where it is reported that:

> Premier Steve Bracks will soon announce details of a $10 million-plus recovery package for the affected regions.

If honourable members have greater knowledge than I do of further commitments, I would be grateful if they would inform the house.

In relation to the claims about the drought adversely affecting the coming year's budget, there is in fact a contradiction between the Treasurer and the Minister for Finance, who was the Acting Treasurer at the time of the release of the budget update. The Minister for Finance said quite truthfully in his media release of 15 January:

> Economic growth in Victoria is forecast to rise to 3.75 per cent in 2003–04, as exports recover following the end of the drought.

That in fact bears out what the Treasury officers themselves forecast in the mid-term budget update, where they also refer to a likely increase in the economic growth rate:

> For 2003–04, forecast Victorian GSP growth has been revised upward slightly to 3.75 per cent, capturing the expected effects of a sustained recovery in exports in line with the ending of the drought.

In other words, they increased the economic growth forecast for Victoria for the next financial year by 0.25 per cent compared with the previous forecast, in line with the expected end of the drought. On the government's own budget sensitivity figures, that implies somewhat in excess of a $10 million net revenue injection to the budget.

While both the drought and bushfires have of course had a very serious economic impact on Victoria and have been a drain on the finances for the current fiscal year, the evidence is very slight indeed that they are the major factors squeezing the budget for the next financial year. The main reasons lie elsewhere and are the explanation of why the government has been so keen to latch onto the drought and bushfires as a justification for the tightening fiscal situation. Just about everything else that means we will have a tough budget next year was already known back during the course of the election campaign, when the government was assuring Victorians of the strength of our economy and our fiscal situation.

During the election campaign the Premier pledged that, if re-elected, his government would maintain budget surpluses throughout the forward estimates period of in excess of $200 million. That promise has already been breached when one adds to the published budget figures the cost of the Labor Party's election promises. That shows why the government has been so keen to shift attention.

Another aspect that needs to be commented on is the government's capital expenditure program. I was amazed to read, again in the report of the *Sunday Age* last Sunday:

> … the next budget is likely to sharply reduce the amount of money devoted to new capital works.

Isn't that amazing! Until now the Treasurer has been waxing eloquent about how much money the government has been committing to capital works, and yet I specifically drew attention in the budget debate last year to the fact that the government had overcommitted the available funds for future capital works. It had dramatically shrunk the free funds that were available. I quote:

> In other words, this year's budget —

the 2001–02 budget —

> has left only $306 million of uncommitted capital works funds available for the next budget year 2003–04 compared with $504.5 million of new capital spending announced in this year's budget for 2002–03.

No wonder the capital availability is shrinking: the government has overspent the capital in the past, it further overspent the capital in its election promises and now, lo and behold, there is not the money to go around. For example, in my electorate further capital funding for one of my primary schools is under question, and certainly there is a big doubt, in fact more than a big doubt, about the timing of funding for the redevelopment of the Box Hill Hospital. It is all very well to put a few million dollars into strategy plans, but when you have overpromised so much where do you find the actual cash for the project itself?

In conclusion, this forthcoming term of the Bracks government is going to be a very different one to the term that has just passed. It is going to be a term in which the government faces real challenges, and its ability to live up to its responsibilities as a government is going to be put the test. I very much fear that on its record to date the government is going to be found wanting.

The DEPUTY SPEAKER — Order! Before calling the honourable member for Yan Yean I advise the house that this is an inaugural speech and ask honourable members to extend the traditional courtesies of the house to the honourable member.

Ms GREEN (Yan Yean) — It is with great pleasure that I rise in this place as only the second member for the seat of Yan Yean.

I take the opportunity to congratulate you, Deputy Speaker, on your appointment, and I ask that you pass on to the Speaker my congratulations on her worthy appointment as Speaker and on being the first woman to occupy the position. I know that you will both undertake your roles with great skill and vigour.

I also want to express my heartfelt thanks to the voters of Yan Yean who have shown their confidence in our Premier, Steve Bracks, and in me as the local representative of a great government. I want to assure all the voters of Yan Yean, wherever they live and whomever they may have voted for, that I will represent them all to the best of my ability.

I take this opportunity to acknowledge the work of my predecessor, the Minister for Police and Emergency Services, who gave the seat excellent representation for 10 years and without whose help I would not be standing in this place today. The minister achieved many things for the electorate of Yan Yean, including the now almost completed duplication of Cooper Street, Epping, a fight he waged for many years; he championed the opening and extension of the Northern Hospital at Epping and the electrification of the rail line to Craigieburn. He fought the Kennett government hard on issues such as the closure of local schools and the threatened closure of the train line to Hurstbridge.

I also wish to show gratitude to the honourable member for Seymour, Ben Hardman, for his tireless work in that part of the Yan Yean electorate that was previously in the seat of Seymour. The honourable member for Seymour has demonstrated to these electors what it is like to have an elected representative who listens to their concerns, genuinely cares and gets things done. I will strive to emulate his work ethic and actions. I look forward to now working closely with both my predecessors in this place for the benefit of the electors of Yan Yean.

I now want to tell the house about the wonderful electorate of Yan Yean. The electorate is a classic urban-rural interface seat offering the best of both worlds: country feel; beautiful environment; relaxed community-oriented people; quality educational facilities; tourism opportunities and potential; quality restaurants and bed and breakfasts; fascinating markets; delicious wines and gourmet produce including cheese, buffalo, lavender, olive oil and a wide range of fruit including all berries, apples and pears.

It is populated by actors, artists, musicians, farmers, elite and amateur sportsmen and women, tradespeople, professionals and families. It has the best blues venue in the Melbourne region — the St Andrews Hotel. The electorate also hosts the best country music festival in Victoria, and maybe Australia, at Whittlesea. Whittlesea also has one of the best agricultural shows in the state. The electorate has an excellent and

competitive Australian Rules football league competition in the Diamond Valley Football League.

Country Fire Authority volunteers, including the oldest fire brigade in Australia at Kangaroo Ground, proudly serve and protect the whole electorate and beyond. I am proud of the 127 CFA volunteers from the Whittlesea–Diamond Valley group in region 14 who have spent time fighting the dreadful bushfires in north-east Gippsland, including 15 or so who still remain there.

In short, the Yan Yean electorate is a great place to live and to visit, and I encourage you all to do so. The electorate covers 744 square kilometres and includes the localities of Arthurs Creek, Christmas Hills, Cottles Bridge, Diamond Creek — where I live and raise my family — Hurstbridge, Kangaroo Ground, Mernda, North Warrandyte, Plenty, Whittlesea, Yan Yean, Yarrambat and parts of Donnybrook, Eltham, Epping, Greensborough, Kinglake West, Research, St Andrews and South Morang. The seat takes its name from the reservoir, one of the earliest water storage facilities for Melbourne. The reservoir is one of three such water facilities in the electorate along with Sugarloaf and Toorourrong.

The name 'Yan Yean' is Aboriginal in origin and means young boy. I take this opportunity to acknowledge the traditional owners of the land on which we stand here today — the Kulin nation — and pay my respects to their elders.

As I mentioned before, the electorate is a classic urban and rural interface seat. I am proud to be part of a government which has a Premier who is committed to delivering for the whole state — for every street in every location in Victoria. The first Bracks government did a great job in undoing the Kennett government's damage to rural and regional Victoria, and rightly so. In this term I know that this government will continue undoing the damage to the rural and suburban interface. This is our new challenge and we will meet it well.

In the last three years in Yan Yean the Bracks government delivered strongly with almost $40 million spent on black spot programs and other road funding — more than the previous government had spent in seven years, not just in Yan Yean but in the whole state.

Projects like the duplication of Cooper Street, Epping, and the Craigieburn bypass, which has been given the go-ahead and which will reduce by more than 30 minutes the road trip from Sydney to Melbourne and shorten commuter and freight journeys to the city. Both road projects stand to create up to 10 000 local jobs in the immediate vicinity of these two new roads and the new industrial park called Northpoint in Epping.

Public transport has seen great expansion in Yan Yean, with four new bus routes, improvements to many other routes, 24 new weekly rail services on the Hurstbridge line and 20 weekly services on the Seymour line, and a level crossing upgrade at Donnybrook.

Health services in the north also received new support, with $12 million for the expansion of the Northern Hospital to meet increasing demand and to provide an additional 32 beds, together with 2 new operating theatres. I congratulate the Northern Hospital on its recently opened general practice clinic, which will make a dent in the shortage of bulk-billing doctors in the northern interface.

The biggest ever hospital project, which will serve the eastern side of my electorate, is the $325 million redevelopment of the Austin and Repatriation Medical Centre and relocation of the Mercy Hospital for Women, which is proceeding apace.

Community health centres in the Plenty Valley and Eltham have also gained funding boosts, and the numbers of front-line health professionals — nurses — have increased by 178 in the northern region.

I mentioned earlier that Yan Yean has many quality education facilities. This quality is due to the dedication of the staff and standard of the programs which, it should be said, received markedly improved funds and support in the past three years — 52 new teachers, 127 classroom computers, $7.3 million in capital grants for major school upgrades, including $4 million at Whittlesea Secondary College, $864 000 for Epping Primary School and $1.08 million at Diamond Creek East Primary School.

The Yan Yean community is indeed fortunate to have such excellent schools, and I recommend them to all prospective parents. In particular I thank Diamond Creek Primary School and Diamond Valley College for the quality of both education and pastoral care that my family has enjoyed and will continue to enjoy.

The TAFE sector has also seen great improvements in the last three years with significant investment in new buildings at the Northern College of TAFE. It is the centre of excellence for agriculture for the whole state, and it trains students in such disciplines as beef breeding — particularly Angus cattle — wine growing and making, farriery, horticulture and essential oils, to name a few.

Community safety has also been a priority for the Bracks government, with 42 new police servicing the Yan Yean electorate; new police stations now open in Eltham and Kinglake; new fire stations at Yarrambat and Doreen; new appliances and equipment for St Andrews and Research; and a station building extension at Wollert.

Despite the achievements of the last three years, there is still more to be done for the rural and suburban interface of Yan Yean. I, as the local representative and member of the Bracks government, will deliver increased services and needed infrastructure to the community. The government has delivered much in its first three years, and the community trusts us to continue to deliver.

In the next four years the Yan Yean electorate will see the construction of four new schools to serve our growing communities, with a new primary school for North Epping in the new suburb of Aurora; a new primary school for Laurimar Park; and both a primary and a secondary school at Mill Park Lakes.

The Northern Hospital will get an additional wing with another 64 new beds, and a new super clinic for day procedures will be built at Craigieburn to service the north.

I call on the federal government to take its responsibilities for health more seriously and make good on its very stale promise to get new general practitioners into the outer suburbs and small towns near Melbourne. I condemn the federal health minister for failing to attend the recent health ministers conference.

This government will not rest on its laurels in the area of community safety. The Diamond Creek community will soon be served by a $6 million joint facility for police, fire and ambulance services.

On roads, the government promises to duplicate the Plenty Bridge on the Greensborough bypass, at a cost of $12 million. Also, Plenty Road will be duplicated from Centenary Drive to Gordon's Road, South Morang, at a cost of $13 million.

On other important infrastructure, I am committed to working with local communities to see natural gas extended to Whittlesea and Hurstbridge. The government is committed to using our precious water resources well and keeping them in public hands. I know that the Yan Yean community will work with us to achieve this.

The Melbourne 2030 strategy will provide certainty to Melbourne's fringe. There will be growth where it can be sustained in the western side of the Yan Yean electorate, appropriately planned, with infrastructure like schools and health services, roads and public transport. Existing commercial development will be supported and new development will occur in designated activity centres. I am opposed to retail development outside these areas in greenfield sites, especially in Diamond Creek Road, Plenty. The strategy will enshrine the right of farmers to continue to farm. Importantly, the strategy will protect Melbourne's green wedges as the lungs of the city and something that current and future generations will enjoy.

I am delighted to share the government benches with so many talented men and women. In particular, I want to express my pride at our Labor team being so reflective of the community. With so many members coming from such diverse backgrounds, many of whom are parents of young children, this can only be good for our Victorian community. The number of babies, small children and teenagers visiting their parents in this place will change it for the better. I defy any honourable member to become out of touch with the real world when faced with the daily logic and sense of wonder of a child.

I have been a parent for 20 years, and mostly a paid, working parent at that, and I have enjoyed every minute. I thank Blake and Carlo for the difference they have made to my life and the wisdom and humility they have bestowed on me. I also thank my partner, Steve, for his love, support, sage advice and stoicism.

Some 40 per cent of the government benches are women, and I am proud to be one of them. The 40 per cent target has been reached some 10 years earlier than Labor nationally had sought to achieve. I express my gratitude both to the ALP and to Emily's List for their parts in us all arriving here. I will never forget your support.

I also want to acknowledge other women who have been important in my life in shaping how I think and who I am. Firstly, my late grandmother, Eileen Plozza, nee Brady, a woman of great spirit and dignity, from whom I learnt so much — the passion of her commitment to the ALP, the Catholic Church and equality for women. My grandmother and her sisters were committed Labor voters and trade union members who worked through the Depression. My grandmother and my grandfather, Frank Plozza, moved from the north-east and settled on a farm near Warrnambool at Nullawarre North. Theirs were often the only Labor votes cast at that polling booth. Despite being good

Catholics, they stuck with the ALP during the torturous split.

Mama, as we called my grandmother, was a very small woman who spent much time on the farm alone while our grandfather went off shearing. He was a committed member of the Australian Workers Union.

Whilst my sisters and I have enjoyed improved access to working conditions thanks to the work of successive Labor governments and the broader labour movement, my mother and her sisters began their working lives before the equal pay cases of 1969 and 1972, so they have not always received proper recognition for their talents. It should never be forgotten that these decisions have only happened in my lifetime, and even when I began my public service career in the 1980s it was only five years earlier that women had been able to retain permanency once married and have the same access to superannuation as their male colleagues.

All this began to change in 1984 when the then Premier, John Cain, Jr, introduced the action plan for women in the Victorian Public Service. It was not about favouring women over men, it was about recognising women for the skills they had and allowing us to reach our full potential. But for this plan I doubt that I and many others would have had the opportunity to stand here today.

To my mother, I commend her for her strength through adversity. She was widowed when my father had a heart attack on the cricket field when I was 19. My mother has since educated herself, finished her secondary school and completed an arts degree, where she started gaining an insight into what her daughter's funny views of politics and life were all about.

I want to thank my campaign team, who worked tirelessly for me for 12 months to win this seat for the ALP. In particular, I want to thank Mark Ward, Michele Ryan, Margaret and Mike Wayth, Peter and Jan Cleeland, Colin Brookes, Santo Spinello, Pam McLeod, Peter Kneale, Barbara Sturmfels, John Parker, Marg Hennel, Kerri Anne Tatchell, Fiona Cotter, Colin Hackworth, Michelle Croughan, John Yianoulatos, Tony Comley and all the other hundreds of ALP members and supporters in Yan Yean and the surrounds. It is their hard work promoting our message that helped us win Yan Yean. I also want to thank the ALP head office team.

I thank my parliamentary colleagues in this place and the unions who have supported me.

Last of all, I pay tribute to the best leader that the state of Victoria has ever had. He conducts himself with dignity, humility, honesty and integrity. I am proud to serve in this place as a member of this government.

Mr WELLS (Scoresby) — It is gives me a great deal of pleasure to speak on the address-in-reply to the Governor's speech. I would firstly like to thank the people of Scoresby. It is a great honour to represent that area for the fourth time. Scoresby covers the suburbs of Wantirna South, Knoxfield, Wheelers Hill, Rowville, Glen Waverley and, of course, Scoresby, which is pretty much in the centre of the electorate.

I found the Governor's speech to be an interesting address that covered a wide range of topics. The point I would like to pick up is on page 2 of the speech, where the Governor said in regard to community safety:

> Over the next four years, the government's priorities will be to:
>
> improve community safety …

I wonder why the Bracks government has set community safety as the no. 1 priority. Is it because of world tension? Is it because of community concerns at the moment? Or is it because the government failed in its first three years in regard to community safety? I wonder whether we should look at some crime statistics to see how the Bracks Labor government has stacked up over the past three years. I have the official current crime statistics, the source being the Victoria Police statistics for 2000–01 and 2001–02. They show that from the time the Bracks Labor government came to office to 30 June 2002, the homicide rate had increased by 32.9 per cent, rape was up by 8.5 per cent, robbery was up by 10.5 per cent, assault was up by — can you believe it? — 26.8 per cent, and abduction and kidnapping were up by 14.4 per cent. So crimes against the person went from 31 372 to 36 630, an increase of 16.8 per cent.

It is even more disturbing when you look at the statistics on weapons used in assaults. The use of bottles and glass, firearms, bats and bars, and knives was up by 37.8 per cent in 2001–02. That is a frightening amount, and we would expect a responsible government would address that when it comes to community safety. It is clear that with violent crimes on the increase the government should have done more in the past three years.

It was interesting when in early October 2002 my office phoned the office of the Chief Commissioner of Police to ask for a copy of the police annual report. We were categorically told that it would be tabled in Parliament on 31 October 2002, which would have been one week before the state election date was announced. When it

was not tabled on 31 October 2002 my office phoned the chief commissioner's office again to find out why it had not been tabled, and we were told there was a printing problem. A $1 billion department tried to convince us there was a printing problem!

When the report was tabled — we got it yesterday — we found out why the Labor government had buried it and why it did not want the electors of Victoria to see it. Let us have a look at some of the interesting facts.

The Minister for Police and Emergency Services goes to great lengths to tell us about the extra 800 police officers out on the beat. Over and over again we have heard it, and we have accepted that figure — there is no question about that. So the first thing you would have expected is that the police would have reached their patrol hours target. That is what the minister said: extra police officers would be out on the beat so they would reach their patrol hours target. The police force itself set a target of 2.5 million patrol hours — I think that is reasonable — but they only reached 2.463 million hours, which means they were 37 000 hours short on patrolling our streets. When one considers that there are an extra 800 police officers, one has to ask what they are doing. If they are not out on the beat reaching their targets, where are they? So we looked at this figure a little more closely and found that with the hours of prisoner supervision, lo and behold, they are 37 000 hours over budget.

So they have taken police off the street, off the patrols, to look after prisoners in police cells because this government has our prisons chock-a-block. The prisons in this state are running at 121 per cent occupancy. Where are the government's plans? It is now into its fourth year in government, yet not one brick has been laid in a new prison — not one brick! And the prisons are running at 121 per cent occupancy. So let us establish the first fact: that 37 000 patrol hours have been taken off the street and police members stuck in police cells to look after prisoners in police cells. That is the job of prison warders, not of the available members of the police force.

The next point concerns crimes against the person. As I have just mentioned, crimes against the person under Labor have increased by 16.8 per cent, so you would want to make sure as a responsible government that, of all points you wanted to cover, crimes against the person investigation should be the no. 1 priority, you would think. The police rightly set themselves a target of 1.442 million patrol hours for investigation into crimes against the person. But what do we find on page 35 of the police annual report? They came in only at 928 000 hours. Half a million hours of police investigation did not happen. We do not set these targets as an opposition or a Liberal Party. I thought the priorities the police force set for itself were dead right when it had 1.442 million hours for crime investigation, but the result is half a million hours short.

What is happening with the victims of crime? You have violent crime on the increase, but when it comes to investigating these crimes the police are not putting in the hours to fix it. Then you go to illegal drug activity.

Mr Nardella interjected.

Mr WELLS — I will get to your point in a minute, just give me a moment. Many of us in here are parents and we are petrified about the drug scourge. The government and the police set themselves a target of 600 000 hours of investigation into illegal drug activity. I think that is a fair balance. but if you look at page 35 of the police report you find that they have reached only 326 000 hours — just over half of the police target into illegal drug investigations. That is appalling!

The honourable member for Melton called out and said, 'You are having a go at the coppers'. Let me clarify that point very carefully. In road traffic law enforcement the police have set themselves a target of 850 000 hours. What happens? There are 1.1 million hours applied to road traffic law enforcement — 1.1 million! So you have 250 000 extra hours taken out of crime fighting spent chasing people up and down the freeways. Where are the priorities of the government?

I will tell you why this has happened. The first point I will make, and make very clearly, is that if it is genuine road safety you will always have bipartisan support from this side of the house, no question. But the government's own budget papers set police fines at $340 million. And what it has put above that figure is the word 'target', not 'estimate' or 'budget'. What pressure does that put on the chief commissioner? The police minister has put enormous pressure on her to reach $340 million to make sure the Labor budget balances, so the number of fines will go from 903 000 in 2001–02 to Labor's target of 1.7 million in this financial year — not quite a doubling of police fines. In the minds of many that would justify why the government has taken 250 000 hours out of crime fighting and stuck them into traffic enforcement to reach Labor's budgets.

Labor also forecasts that its budget coffers will get a massive 84.8 per cent increase in revenue compared to last financial year through police fines: $340 million this year against $182 million, once again not quite double.

This is a very disappointing part of the way the police have utilised their resources. We will be asking the minister for police and certainly the chief commissioner for an explanation of any undue pressure she has been under over the last three years since she became commissioner. We will find out why crime fighting as a priority has been dropped further down the line. That is a fair and valid point.

We will also be asking the minister when he will start moving prisoners out of police cells, because the report also shows that on a daily average there are 245 prisoners in police custody. How does that work when there is only room for 120? They are crammed in like sardines. That is, of course, putting undue pressure on our police force. We will be following that through very carefully.

It is very clear now why Labor tried to bury this report prior to the last state election. It went to the 1999 election promising to be open, transparent and honest, and we found by this report being buried that the government was embarrassed by the figures contained in it.

I will talk briefly about my electorate of Scoresby. There are three main issues on which I will be working with the honourable members for Bayswater and Ferntree Gully — an interesting challenge! We need, obviously, to make sure that projects like the Scoresby freeway are built and up and going. In 1999 Labor was totally opposed to the Scoresby freeway and then changed its mind. At the Aston by-election suddenly Labor members were all for it; but we are still waiting for a bulldozer to turn up so we can get just one millimetre of dirt moved, just a little bit of it.

I do not know where they are going to be. We were told by Vicroads the other day that it has 90 people working on the Scoresby freeway — 90 people — yet not one inch of dirt has been moved. I am not sure what they are going to do, so we are going to be in for a very interesting time.

The other promise the Labor Party made in 1999 was to build a tramline right to Knox City. It is interesting to note the front page of this newspaper, which states, 'Light rail to city in four years'. Labor made that promise — 'in four years'. It is interesting to note that Mrs Carolyn Hirsh is shown on the front page, but the date of the front page of that *Knox-Sherbrooke News* is Tuesday, 20 September 1988 — 1988! You promised to put the tramline through to Knox in 1988, which meant it would have been there in 1992. We are talking 15 years later, and it still has not moved one millimetre from Blackburn Road! It will be interesting to see if the new honourable member for Silvan Province in the other place recommits herself to seeing if that promise can be delivered.

Ms Kosky — There is a better chance under a Bracks government.

Mr WELLS — Oh, it is a better chance! And the Bracks government has not even moved, despite promise after promise.

I thank my staff, Glenn Corey, Chris Costello and Kim McFarlane, who are so loyal and who work so very hard. I also thank my campaign team, also very dedicated and loyal, headed up by Geoff White.

I thank my family for the enormous amount of support and loyalty they have shown me. I know that little kids are great levellers. I said to them one night that I would be debating with the Minister for Police and Emergency Services on *Stateline* at 7.30, to which they said, 'Dad, if you think we are going to be watching you, fat chance — the *Simpsons* are going to be on Channel 10!', so we ended up having to get the babysitter to tape *Stateline*! My very special thanks to Judy, Sam, Tommy and Tahnee. They make everything worth while when we are stuck in here working very long hours. I know that at times it is hard, especially when it is homework and sports time, but I am very grateful for their support.

The ACTING SPEAKER (Mr Delahunty) — Order! I advise the house that this is an inaugural speech, and I ask that honourable members extend the traditional courtesies to the honourable member for Bentleigh.

Mr HUDSON (Bentleigh) — Acting Speaker, may I join others in congratulating the Speaker on her election to high office. It is both a great tribute to her and an overdue recognition of the very significant contribution that women are making in public life.

I would like to acknowledge the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to their elders.

I am proud to stand in this chamber today as the new member for Bentleigh and as the third Labor member to represent the electorate in the Victorian Parliament. I congratulate the Premier on Labor's magnificent win in the state election. I thank my campaign team, headed by Cartha Maloney and Bill Kneebone. Without them I would not be here today.

The people of Bentleigh have placed their trust in me to be their elected representative. It is a huge

responsibility, and I promise to do everything I can to ensure that their trust in me is vindicated. My first duty as an MP is to represent my constituents. I promise to listen to their concerns and speak up in the face of injustice or when government falls short of its stated goals and commitments. I intend to be a voice for the people of Bentleigh and to work with them to make a difference.

Bentleigh is an electorate which in recent years has changed dramatically. In the postwar period it was a major settlement area for returned servicemen and women, who left an indelible imprint on the electorate. They were modest people who served their country, worked hard and raised their families. Their community pride resulted in great local institutions such as the Moorabbin hospital, which was built because the community had a dream and helped to raise funds to make it a reality. These dreams were crushed when the accident and emergency department at the Moorabbin hospital closed under the Kennett government — a decision that still rankles with the community today.

When I surveyed the electorate as a candidate 46 per cent of the respondents nominated health as their no. 1 priority, and many, without prompting, raised the closure of the emergency department as something that concerned them. The Bracks government has recognised this and embarked on a series of initiatives that will improve health services in the community. They will also go a long way towards restoring the sense of local community ownership that my constituents are looking for. These include the first-ever ambulance station in Bentleigh, a new elective surgery ward and operating theatre at Moorabbin, and two new radiotherapy bunkers that will double the cancer treatment services available in the area.

In the last decade many of the old diggers have been replaced by new waves of young families and migrants, taking advantage of an established residential area and facilities close to the heart of Melbourne. Their aspiration for improved schools and a safer community will be met through the major redevelopment of a number of schools in the area and the increased presence of uniformed police in our local police stations. I am excited about what these commitments mean for Bentleigh, and I will look forward to bringing them to fruition over the next four years.

I grew up in the nearby suburb of Chadstone, as part of the Holmesglen public housing estate. Waves of migrants came to Holmesglen and found their first homes in tin Nissan huts along Gardiner's Creek. My parents not only raised six children but were also active in the community. I do not know how they did it. My mother instigated and ran a netball club for 25 years, while my father built school ovals and tennis courts and served on the school council. They showed me the importance of compassion, hard work, honesty, discipline and community. They were modest people but fiercely ambitious for their children. They taught us that what counts is what you do, not who you are. So the measure for me will be what I am able to achieve in public life, not the position itself.

My parents have been the single most important influence in my life, and I am proud that my mother is here today to share this moment. I regret that my father was rushed to hospital and could not be here today.

I also know that I could not have come this far on my journey into public life without the love, support and advice of my wife, Marie, and I know I will continue to be indebted to her and our children, Pru, Dashiell, Elliot and Freya, for their tolerance and patience.

My own political values have been shaped by my family and by the years that I spent working in community organisations and in government. My heroes were not only politicians like Gough Whitlam but people like Ronald Henderson, who through painstaking research gave us our first real picture of what poverty means in this country. Many of the social justice measures that we now take for granted had their genesis in Henderson's work.

My first job was working at the Brotherhood of St Laurence in an anti-poverty project in Fitzroy called the Action and Resource Centre for Low Income Families. Working with people like Connie Benn, David Scott and Hayden Raysmith I came to understand the grinding reality of poverty and its damaging impact on individuals and our society.

Poverty can be effectively tackled only when people are empowered to exercise greater control over their own lives. This is achieved when governments are prepared to tackle the barriers that lock many people into poverty. For example, people must have the security that comes from a decent income and affordable housing. Without this they will struggle to access educational and employment opportunities or participate meaningfully in the broader community.

It is the first duty of governments to make sure everyone has a stake in society and can share fairly in its benefits. To ensure that this happens we must set goals and targets against which we can measure our progress and be held accountable for specific outcomes. This government had the courage to do this, not only in relation to education but in a wide range of areas of

government activity, through Growing Victoria Together.

I believe in a positive role for government, not for its own sake but as a means of ensuring that everyone, no matter what their circumstances, has equitable access to economic resources, to essential services and educational and employment opportunities. Our educational funding must recognise that some students will need more assistance if they are to effectively overcome the disadvantages that come from a deprived background.

The past century has seen tremendous gains in the health of our population, but the burden of disease and injury in Australia still falls much more heavily on the poorest people in our community, including our indigenous population. Our public health funding must recognise this fact if further health gains are to be made.

This is not a question of sacrificing economic objectives to social development. There is no reason why providing for people's social needs should not itself produce economic benefits — for example, providing social protection for unemployed people delivers economic returns in the form of increased stability, increased consumer demand and increased labour market flexibility. It is very hard to contemplate major structural adjustments if there is no safety net for affected workers.

The same is true of labour market programs. I have always thought that the conservatives miss the point about these. They are not principally about job creation, rather they are designed to give disadvantaged workers the opportunity to gain much-needed work experience, confidence and skills so that they can compete more effectively in the labour market.

With Australia's economy undergoing structural change, new opportunities have been created. However, at the same time there are new inequalities. While in the last decade new jobs have been created in the information technology and service industries, there has been a collapse in traditional manufacturing jobs in the old industrial suburbs. In the past 20 years the gap between the wealthiest and poorest sections of our community has steadily widened, a gap that has principally been driven by market forces. During that time it has only been the real increases in social security payments achieved by Brian Howe as social security minister in the Hawke government that have prevented poverty from getting worse. I would like to acknowledge the enormous debt I owe to Brian Howe as a political mentor and friend. In my view he is one of the great ministers we have had in this country since Federation, and even today the benefits of his reforms are felt by everyone who has to rely on social security as their principal source of income. It is a privilege to have him present to hear this speech.

It is also true that you cannot have a decent social security system without decent wages. The fortunes of those who depend on social security are bound up with the level of wages paid to those in the work force, particularly at the bottom end. People cannot work their way out of poverty unless we tackle poverty traps that are inherent in poor wages and conditions, as well as poorly constructed income tests. These can only be improved through the work of unions and I am proud to be a union member.

One of my more chilling experiences was to speak at the Dallas Brooks Hall at a rally for injured workers to support those whose workers compensation entitlements had been unilaterally cut by the Kennett government. These people were being thrown onto social security payments at a moment's notice. As I spoke I felt the waves of fear and distress wash over me from the crowd. It is an experience I will never forget. Fundamental rights are a critical part of social justice, and I promise to stand up for them at every opportunity.

It is the task of Labor governments to ensure that no matter what else we do, we work to improve the position of people at the bottom of the heap. Increasingly, high concentrations of disadvantage can be found in particular suburbs and regions hard-hit by structural change, creating further barriers to social and economic participation.

In my years in the community sector, including six as director of the Victorian Council of Social Service, I had the privilege of working with a myriad of individuals and organisations that are the critical building blocks for a cohesive and inclusive society. Government can seem distant and inaccessible to many people and community organisations are often the mediating structures through which people gain access to services and participate in decisions that affect their lives.

Community organisations shine the torch on areas of need that are often overlooked or ignored by governments. They are crucial advocates for people's rights. The very best of them also connect people to each other and provide a vehicle for empowering people to take control of their own lives. Victoria is lucky to have a vibrant and healthy community sector and I am indebted to it for what it has taught me about people and community.

Contrary to the myths, Australia is one of the most urbanised societies on the planet and ensuring that Melbourne remains one of the most liveable cities in the world is one of our greatest challenges. The health of our environment depends very much on how well we manage our cities. The environmental impacts of urban activities are also felt far beyond the cities and towns in which they occur. State governments can play a crucial role in guaranteeing the liveability of cities.

In a globalised world the quality of our cities, the health of our urban environment, their degree of social harmony and their economic activity will be the major factors determining whether Victoria continues to prosper. In a world of mobile capital, people prefer to visit, study and invest in cities that are pleasant places to live and have good infrastructure. In Melbourne this is evident in the huge explosion of our service industries, in the increasing attraction of Melbourne to world-class scientists and the growing number of students from the Asia-Pacific area.

Likewise, people do not want to live or invest in cities that are riddled with crime, choked with traffic or have a poorly trained work force. We will not be able to compete internationally if traffic congestion imposes huge costs on business or freight cannot be moved efficiently around our ports. We will not maintain our quality of life unless public transport as well as roads and freeways are part of the long-term solution. I look forward to working on the government's commitment to increase public transport's share of motorised trips within Melbourne to 20 per cent by 2020. It is crucial to the future liveability of the city. Our infrastructure program over the next 10 years will largely determine our future success.

The Bracks government has recognised this with the development of its greenhouse strategy, *Melbourne 2030*, and the huge increase in expenditure on infrastructure projects over the last three years. These initiatives will be among the lasting legacies of the Bracks government.

However, our cities will not be attractive places to visit and do business unless we also renew those areas in which there are high levels of social disadvantage and high concentrations of public housing and unemployment. Nor can we leave people on the fringe without access to services, transport or jobs. We cannot afford to forget these areas and the people who reside within them.

The same is also true of our natural environment. We will not be able to sustain our cities or the rural areas around them unless we tackle greenhouse gas emissions, air quality, the level of water consumption and the disposal of our wastes.

Economic, environment and social policy must be inextricably linked. When I first went to work for Brian Howe in Canberra he told me to be humble about social policy, not because he did not see it as important, but because too often it is seen as subservient to economic policy by opinion leaders and decision makers in this country. In Brian's view, you only made headway with patience, good research and carefully constructed policy, not hubris or rhetoric. This was the hallmark of his public life. It is an approach I hope to emulate during my time in this Parliament.

The ACTING SPEAKER (Mr Delahunty) — In calling the honourable member for Swan Hill I advise the house that this is his inaugural speech, so I ask that honourable members extend the courtesies and traditions of the house to the honourable member.

Mr WALSH (Swan Hill) — Thank you, Mr Acting Speaker. I congratulate you on your elevation to that position and say how dignified you look sitting in that chair!

I sincerely thank the fine parliamentary staff who have ably assisted the new members, including me, start the transition to parliamentary life. I also acknowledge the many National Party supporters in my electorate who worked hard to assist me to be elected to this place.

The Swan Hill electorate offers its parliamentary representative many challenges. It is a huge electorate of 28 000 square kilometres, twice the size it was when my predecessor, Barry Steggall, was elected in 1983. There are 40 towns in my electorate, 6 local government municipalities, 17 hospitals and health care facilities, 58 schools and hundreds of small businesses. It is truly the best part of Victoria, despite what other honourable members may say in their speeches!

The last electoral redistribution brought two new areas into the Swan Hill electorate, and I welcome them warmly — the area centring on St Arnaud and including Stuart Mill, Navarre and Natte Yallock; and the district around Warracknabeal and south almost to Horsham, including Minyip, Murtoa, Rupanyup and Marnoo.

The Swan Hill electorate is diverse. Environmentally it has the harshly beautiful and tough Mallee, the box-ironbark ecosystem, the riverine red gum forests along the Murray and Loddon rivers, and the great plains of the Eastern Wimmera and the Tragowel. There is just as wide a spread in our communities of interests — the old mining towns of central Victoria,

which are heavily dependent on tourism; the larger commercial centres of Swan Hill, Kerang, Warracknabeal, and St Arnaud, and the many small towns scattered across the electorate, which are mostly dependant on agriculture and which have survived despite massive technological change that has enlarged our farms but shrunk our towns. There are so many different communities of interest, each with its own set of strengths and its own challenges.

One inescapable problem we all share at the moment is the savage drought — the worst on record — that comes hard on the heels of six previous years of below-average rainfall. Many of the recreational lakes that draw thousands of tourists each summer are completely dry; others are rapidly evaporating. The psychological, economic and recreational importance of lakes like Lake Boga cannot be underestimated.

The storages of the Wimmera-Mallee system are holding just 7 per cent of capacity. People on farms and in towns fed by these systems are coping with extreme water restrictions. The Wimmera-Mallee Water Authority is already making plans for extensive water carting to towns and properties next year if no significant rain falls. In fact, one of the great benefits of the proposed Wimmera-Mallee pipeline will be the increased security for communities across 2.3 million hectares of the region. The reduction in evaporation and leakage alone of 83 000 megalitres a year is a staggering benefit in an area where every drop counts. It will be one of my challenges to ensure the system we finally put in place has the capacity for future development. We should not be penny wise and pound foolish on a project that will last the next 80 to 100 years.

It would be easy to get depressed about the effects of this severe drought on our farmers, our towns and our wildlife, but I am fortunate in having in my electorate many enterprising, resilient and forward-thinking people. The drought will eventually end, it will rain and our people will get back to doing what they do best — growing high-quality food for domestic and export consumption.

There has been a quantum leap in approaches to food production in the electorate over the last 10 years on dryland and irrigation farms. In the dryland areas vast monocultures of wheat and barley have been replaced by a wide range of pulses and oilseeds — canola, chickpeas, lentils and faba beans — grown to diverse the income base in the rotation and for the health of the soil.

Change has occurred not only in the type of crops but also in the increasingly sustainable way they are grown and the skilful way they are marketed. Wimmera Grain is typical of the businesses that have sprung up. It began operating out of Rupanyup in 1993 and has become a significant exporter of chickpeas, lentils, broad beans and other specialty grains like fenugreek, to 32 different countries. Similar successful grain exporting and stockfeed businesses are operating in Nullawil, Minyip, St Arnaud, Donald and Manangatang. Throughout my electorate good ideas are being taken up and developed with skill and imagination by entrepreneurial people who are not afraid to take a risk.

Kooka's Country Cookies — a real small-town success story — was started nine years ago as a one-man operation, and now employs more than 40 people in its factory at Donald. It supplies those great buttery shortbreads to supermarkets in every state in Australia. Honourable members who have not tried them are missing a treat.

We have an agricultural service sector that is second to none. Large family businesses like Emmetts, O'Connors, Michaels and the Parkers T and I network span the region with dealerships. Specialist machinery engineers like Grizzly and Pumpa Engineering supply all over Australia. The Pickering transport group has built up an enviable reputation as a carrier. You will not pass another Fox in the Swan Hill electorate, but it is on the cards you will pass a Lake Boga Transport B-double taking high-quality fruit and vegetables to the big cities of Australia.

In the irrigation areas horticulture and viticulture have boomed, largely as a result of the transferability of water rights activated by the coalition government in the early 1990s. The Goulburn–Murray corridor is now flourishing, with more than 60 different agricultural and horticultural products, including stone fruits, grapes, vegetables, olives and almonds. My home town of Boort accommodates the largest olive grove in the southern hemisphere. When fully developed by Timbercorp it will represent $110 million of investment spread across 3500 hectares. Construction has just begun on a $100 million olive processing plant to process that premium oil.

That brings me to an issue of importance to my electorate. In the big cities irrigators are often perceived as environmental vandals. Few workers tucking into a salad roll for lunch spare a thought for where the food they are eating came from. In all likelihood it was an irrigation farm. We enjoy an unparalleled range of fresh produce all year round. How? Irrigation. What gives

our food its consistency and variety in a highly variable and uncertain climate? Irrigation. The latest national land and water resources audit tells us that 50 to 55 per cent of all farm profit generated in Australia in the late 1990s came off one half of 1 per cent of the agricultural land base. How? Irrigation.

Irrigators have done much over the past decade to make significant productivity gains, and there has been a quantum leap in water use efficiency — and I am confident this will continue. Water is being transferred to higher value horticultural crops; hundreds of kilometres of community drains have been constructed; flood irrigated properties are almost all laser levelled; and sprays, micro and subsoil irrigation systems have won greater acceptance. Irrigators recognise that improving irrigation efficiency, reducing ground water recharge and minimising off-farm drainage are critical to sustainable irrigation and to their survival as farmers. I want urban consumers to understand that irrigators are already making a major contribution to improving the environmental health of northern Victoria and will continue to do so.

I would like to take this opportunity to pay tribute to my predecessor, Barry Steggall, who held the seat of Swan Hill for almost 20 years between 1983 and 2002. I am sure honourable members who worked with Barry in that period hold him in the same high regard as I do.

One of the permanent legacies Barry has left Victoria is his work on water reform. His amendments to the Water Act 1989 set the rules that have enabled the transformation of the Murray Valley's productive landscape. He chaired the Sharing the Murray bulk water entitlement process for three years. The outcome of that was consensus between environmentalists and irrigators, a more secure investment climate, and confidence in irrigators entitlements. I commend and honour Barry Steggall for his dedication to his community and his untiring work for the health and prosperity of the Swan Hill electorate.

One of the greatest challenges ahead for all of us will be satisfying the water and food demands of our society while protecting our in-stream and riparian ecology. Even after the drought has broken water will be one of the biggest issues of the future. The Living Murray debate that will examine these issues has already begun. Over a 15-month consultation period, scientists, the community and government will discuss the notion of what constitutes a healthy working river.

We all have a vested interest in a healthy river. Everybody lives downstream of somebody else. But there is a growing concern among my constituents that we may throw the baby out with the bathwater. We look to our scientists to provide us with some convincing science about the benefits of returning each of three levels of environmental flows. How much flow restores the maximum biodiversity benefit, when should it be delivered and over what period? To what extent will the flood plain, now largely leveed off to protect assets and property, be involved? How will we manage the low summer flows needed by the environment and still provide the necessary water for Adelaide, for our towns and our irrigators? How do we balance good environmental outcomes with the social and economic imperatives of our communities?

I quote Dr John Whittington's sensible remarks from *Watershed*, February 2002:

> It is not the role of the scientific community or those who work the river to decide upon the compromise between the competing values of production and the natural environment. Rather it is for the community, through the political process, to determine this compromise. It is the role of the science community to identify the relationship between level and type of work and the loss of river health. Similarly, it is the role of river users to identify the levels and types of work that are socially and economically viable.

Underscoring these investigations there are a number of principles which I will vigorously promote: government must acknowledge water rights and licences as property rights; any property rights to water that are extinguished should be legislated and compensated for on just terms; the integrity of the water market must remain free from government intervention; changes to our river health that come about as a result of environmental flows must be closely monitored and reported to our river communities annually.

A stakeholder profile study for the Murray-Darling Basin Commission last year showed strong support for a healthy Murray. Ninety-five per cent of those interviewed said the health of the river was a top priority, but that support fell to below 40 per cent if it was thought that river communities were not adequately drawn into the process and the decisions.

Governments must be mindful of this qualification. The 15-month period allocated to the Living Murray process may not be long enough for people to accept and support any changes needed, especially during a period of extended drought.

I look forward to the challenge of being the member for Swan Hill. Many focus on the decline of services to country towns, but I believe this is a symptom, not a cause. A measure of my success will be to increase the economic activity in my towns and help generate permanent jobs and careers.

The extension of the natural gas network to the region is one of the tools that I believe will help grow the rural population and hold on to our young people. If I can do that, I will help to solve the health, education and service delivery deficiencies that plague many of my small towns and simply do not exist for city people.

I can assure the constituency of the Swan Hill electorate that I bring to my new role as their local member all of the determination, the drive and the energy that I have, and I will use my skills and networks to achieve positive outcomes across the whole electorate, and I hope my inclusive approach will allow all to feel that they have a voice through me in this place.

The ACTING SPEAKER (Mr Thompson) — I call the honourable member for Mordialloc. I advise the house that this is an inaugural speech and ask the house to extend the usual courtesy.

Ms MUNT (Mordialloc) — Thank you, Acting Speaker. Please pass on my congratulations to the Speaker on her election as the first female Speaker in this place. Her election marked another milestone on the road to full participation by women in politics.

I want to commence my remarks by speaking about our roles as members of the Parliament. We have the opportunity and responsibility to support good laws such as the Bracks government's reform of the upper house. We also have the opportunity and responsibility to reject bad laws, such as the previous government's legislation to reduce the powers of the Auditor-General.

The reforms of the upper house that our new government is introducing will bring to the Victorian community a more democratic and more representative Parliament, so I have great pleasure in supporting this reform. I am delighted also to have as my colleague in the upper house, Noel Pullen, the first Labor member for Higinbotham Province.

The other key role we have as members of Parliament is the chance to help our community and constituents find a way through the bureaucratic maze. A member can help solve problems like finding housing for someone who is homeless or working to change traffic rules so that a thousand passing trucks do not keep residents awake at night.

I wish to declare here today in my first speech in Parliament that the clear focus of my efforts over the next four years will be to work to achieve as my priority the needs of the people of my Mordialloc electorate who have honoured me with their support.

My priorities as the member for Mordialloc will be a continued strong emphasis on improving educational opportunities and facilities for our children; improvement of our living environment, from protecting the south-east green wedge to addressing traffic management and planning issues; working hard for the recognition and inclusion of the diverse people and groups in the Mordialloc community, including people with disabilities; and industrial relations reform to protect worker entitlements and working conditions.

No doubt other issues will emerge and gain momentum over the next four years, but the above issues are important, and I will address them in some detail in a few moments.

But first I wish to say a few words about my background and some of the people and issues that have influenced me and shaped my character. As such no doubt they will influence the way I go about representing Mordialloc.

I was born and grew up in a housing commission estate in Highett. It was an area that did not get much attention at that time. The best resources in parklands, libraries, schools and health care were placed some distance away in more affluent suburbs. As I stand here now, I am wondering how a girl from the housing commission estate was able to end up here, for goodness sake. Yet this place could not do its job representing the people if it did not include people from the greatest possible variety of backgrounds and walks of life.

I grew up listening to my late father, Stanley 'Digger' O'Connell, talking about politics over the dinner table. He was a cantankerous voter, considering every issue and only giving his vote to Labor after hard and careful thought. He raised me to have concern about the way our state and country were run. He was a worker at a factory in Port Melbourne — home of the greatest football team in Australia, the mighty Burras. He worked there for nearly 40 years. Had he worked there just a little longer, he would have been eligible for a modest superannuation payout — all that he had. But the management dismissed him just a few months beforehand. They did this to avoid paying him his due.

How many times have we seen this happen? How many of the working people of Australia have lost their entitlements due to deliberate policies like that perpetrated on my father? How many of the factory owners in such cases are still living very well, thank you very much? This personal experience makes me very pleased to support the government's program for

industrial law reform in this place and to work to stop the exploitation of our workers.

Here, surrounded by gold leaf and a tradition that dates back 150 years in Victoria and several hundred more years in Britain, it is easy to forget how privileged we are. Everyone in this place earns a considerably higher salary than the average family in our community. Whilst I do not suggest we do not work for our salary, no-one should ever, ever suggest that the nurses, the nursing home aides, the factory workers, train drivers, school teachers, small business people and all the others who keep our society running do not work for theirs.

Over 30 years ago I was a student at Highett Primary School. Our school was one of the first closed by the former Kennett government and sold off for housing development.

All that the people in the housing commission areas of Highett wanted was a good education for their children. When the former Kennett government attacked the state education system, it was not a random process but a deliberate philosophy to reduce the opportunities for the less well connected in our society.

I went on to attend Highett High School, which I am happy to say survived the previous coalition government — just — and is now part of Sandringham Secondary College. I was very lucky to have as my teacher one Peter Ford, who recently sent me a letter from which I would like to quote:

> I started at Highett in April 1970; all I wanted to do was to teach politics (Social Studies as it was then called). But this, of course, was the prerogative of the private schools and the ruling class. What was the point of teaching politics to the plebs? There were only five high schools teaching it and they were the elite ones. It took a very courageous principal in Frank Farmer to convince the school council to put it on the curriculum. They were heady days and, of course, kids flocked to the subject and we had over 70 in year 11 and 38 did year 12 in 1972, including 10 As — the best results in the state by a mile.

Peter's words remind us that in living memory — only 30 years ago — people in working-class areas were routinely denied the advantages that society as a whole gives to others.

After growing up in Highett I was lucky to be the right age when the former Prime Minister Gough Whitlam removed university fees. This allowed me, a housing commission girl, to go to university — the first of my family to do so. Of course I studied politics — it seems it did me some good — but I learnt as much about politics from another resident of the estate, the late Stan Curnow, as I did from the university.

I knew Stan from early childhood. He used to organise the local Labor polling booth rosters, and I would go wherever he sent me. Stan was also a great friend of Peter Spyker, a former honourable member of this place and someone who ably represented large parts of my electorate for many years, although the boundaries have changed a bit in recent years. Peter has been a great inspiration to me, both during my time as a candidate and since my election. Since I lived in Highett I have prospered and amazingly I am now a member of Parliament, but I have not forgotten the places I have come from and I have not forgotten that there are many people who are struggling as my family did.

It is the mark of a really civilised society that all people get the help they need. We raise taxes from society as a whole in order to provide the services that society as a whole requires. Those of us who are privileged have a responsibility to help those who are not. This is accepted by those on our side of the house, thankfully now a large majority of this place.

I wish to say a few words about the electoral district of Mordialloc which I now represent. First of all I want to pay tribute to the original inhabitants, the Koori people. Mordialloc is a Koori word meaning a short creek. Until the late 19th century there was an important Koori settlement there. Nowadays the Mordialloc district may be best described as middle suburban, with many new suburbs developing further out in south-east Melbourne, but Mordialloc is very diverse. In the north-eastern corner of the electorate there is a community known locally as Spring Valley. Here we find a large number of people who were born in many different countries but who have made Australia home.

In Spring Valley, as in the areas represented by my neighbours, the honourable members for Clayton and Lyndhurst, people from Cambodia, China, Spain and Eastern Europe will be found, working together as a new and vibrant part of multicultural Australia. The people in Spring Valley have the lowest average incomes and are the poorest resourced in my electorate, and maybe because of this they complain the least. Representing the people of Spring Valley will be one of my major objectives in this Parliament.

Not far from Spring Valley is a very different community in Dingley Village, a more affluent area. One of the most important issues in Dingley is the preservation of the green wedge — the lungs of Melbourne. I am very pleased with the unequivocal commitment of the Premier that Labor will preserve the green wedge from housing and industrial development.

Most of my electorate is near to or on the coast of Port Phillip Bay, including the suburbs of Highett, Cheltenham, Mentone, Parkdale and Mordialloc. The protection of the bay is one of the most important environmental concerns in my electorate. In recent years there have been efforts to clean up the discharges into the bay, such as at Mordialloc Creek, but there is much more to do. This could involve partnerships between the community, government and private enterprise — for example, the new Waterways estate in Braeside includes a fine new wetland that will help to filter out some of the pollutants carried down the creek. We must all work together to help clean up our creeks and other waterways.

Recently there have been some alarmist statements by the Kingston City Council and others about Port Phillip Bay being damaged by possible dredging for deeper shipping channels and a possible deepening of the rip at the entrance to the bay. This is a serious environmental issue and has to be properly examined. The scientific study is still to be done. I welcome the contribution of community groups to this debate, but I am disappointed that the local council has prematurely attacked the proposal for purely political reasons. Let me make it clear to the house that I will not support any bay dredging that might damage the environment or cause problems for any housing estates.

Right throughout the electorate of Mordialloc people have expressed their concerns about the environment, both natural and built. People do not wish to wake up in the morning with several three-storey mock-Georgian units next door, as was the way when a previous honourable member for Pakenham was the planning minister. Under the Bracks government planning is no longer a dirty word. We still have many challenges however, and the government has introduced Melbourne 2030 as a way of preparing for our future. Melbourne 2030 does not mean the virtually unlimited development of the mid-1990s but it does mean that we all have to work together to provide places for housing, schools, public transport and other infrastructure for the whole community.

I want to raise an issue that has been a large concern for many people in the Mordialloc electorate — namely, traffic. During the recent election campaign I was attacked by my opponent and the local council for not supporting a $180 million freeway, known locally as the Dingley bypass. I cannot support this kind of expenditure when the traffic studies show that it will not solve any of the traffic problems in my electorate. I can say that the residents of White Street, Mordialloc, whose pleasant street was turned into a main road by the previous Liberal government, deserve relief from the daily grind of trucks and traffic.

I believe that the Labor government's decision to go ahead with the Mitcham–Frankston freeway will reduce the traffic impact in White Street. But if more needs to be done, it will be.

There are so many issues that a member of Parliament can and should take up. Time does not allow me to raise every one, but I do want to mention services for the disabled and differently abled people in our community. There have never been enough money and resources available for people who are born with or who acquire disabilities. As a community we must work harder to provide more services for such people. It is expensive, and all of us who are prosperous and have good health need to be prepared to put in our share to help those who need such help.

Disabled children who are going to school need integration aides, and we have to be prepared to fund an increasing number of these. Older disabled people need a range of appropriate accommodation — and this does not mean keeping severely disabled young people in nursing homes for the aged, because disabled citizens need more than just a place to sleep. They need intellectual stimulation and to be able to have fun and experience rich and fulfilling lives in our community.

If we are to provide reasonable services for our disabled citizens, to provide the best schools and to improve all of our public infrastructure, we have to be able to pay for it. Those who are best able to afford to pay need to pay more. I am a high-income earner and am very pleased to pay higher taxes if I know that those taxes are assisting the community.

I have spoken before about my schooling and university. Education is an area in which our society has to do much better. Recent conservative governments have closed schools — including mine — and ripped huge sums away from our universities. That is not a way in which clever people would ever act.

Fortunately the Bracks government has made a strong commitment to education, and this has meant more teachers in our schools, more money for infrastructure and, in the case of some schools, really significant improvements. Mentone Primary School serves many children in my electorate, and I was the school council president there. I am so pleased that the school is to be rebuilt at a cost of over $2 million.

In addition I am very pleased that the Bracks government has provided over $2 million for improvements at Cheltenham Secondary College, one

of the two secondary colleges in the Mordialloc electorate. Furthermore, Mordialloc Primary School has been earmarked for a major redevelopment. I intend to work very hard on behalf of all the excellent state schools in my electorate.

Now I have to turn my attention to thank some of those who have helped me to get to this place. Emily's List Australia was set up to help increase the number of women in Australia's federal and state parliaments. I am grateful for their help, and I am delighted to be in this place with the largest ever proportion of female members.

I had a wonderful committee to assist me in my election, of whom I want to mention in particular the committee president, Steve Hardy; the treasurer, Dennis O'Sullivan; the campaign manager, Stephen Morey; the campaign secretary, Chris Davey; the press adviser, Lynette Wilkes; and Noel Beaton, a former federal member for Bendigo, who gave me advice on such a wide range of things and helped with his great knowledge of the press.

I have to single out Nola van Klaveren, who walked the streets of the Mordialloc electorate with me, week after week, knocking on doors that had not seen a state member for a long time.

Much of the hard work of restoring the level of Labor support in Mordialloc was done by Robyn McLeod over successive, difficult elections. She would have been a great member for Mordialloc and is a great role model for me. Finally I want to thank my family — my mum, who rang 3AW on election night and asked them why I was not being interviewed, and my husband, Greg, and three children, Ian, Katherine and Jenny. I know Jenny will be embarrassed, but so be it.

Business interrupted pursuant to sessional orders.

Sitting suspended 1.02 p.m. until 2.02 p.m.

QUESTIONS WITHOUT NOTICE

Central City Studios: Docklands tender

Mr DOYLE (Leader of the Opposition) — My question without notice is to the Premier. I refer to the Auditor-General's report today on the Docklands film and television studio, which states:

> The successful tenderer enjoyed additional opportunities to present and clarify their proposal …

and:

> The other tenderers were not given the same opportunities for additional presentations or to revise their tenders …

How does the Premier justify the government's corruption of this tender process?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. The Auditor-General goes on to say some other things — including that the preferred tender has been undertaken in accordance with the Victorian Government Purchasing Board's probity and policy guidelines. That is exactly right, and those guidelines are very clear about preferred tender status, which requires and obliges further negotiations. It has always been the case in clarifying tenders.

On the matter of the Auditor-General, it is important to note that on this side of the house we support the Auditor-General here in Victoria. Not only do we support the Auditor-General, but today we have started the process of bringing in legislation to enshrine the Auditor-General's powers and abilities in the Victorian constitution. The reason we have an Auditor-General is that we support that position on this side. Members of the opposition voted against the powers of the Auditor-General and effectively, sitting there, voted against his capacities.

I again say that the Auditor-General in this case has determined quite appropriately and properly that the proper probity rules were followed. The tick-off was given there by independent probity auditors Pricewaterhousecoopers and Acumen Alliance. What is also great is that what we will see at the new Docklands studio is $100 million-plus of new economic activity in this state, something that was missing in the previous government's policy before we came to office but something that we will gain in new film and television production in this state.

Bushfires: firefighter death

Mr HARDMAN (Seymour) — My question without notice is to the Premier. Will the Premier advise the house of the tragic events that occurred yesterday during the ongoing firefighting effort in north-east Victoria?

Mr BRACKS (Premier) — I thank the honourable member for Seymour for his question. Yesterday in the house we were debating matters concerning the bushfires and many honourable members were passing on their support for the firefighting effort, which I know would be reconfirmed here today. The fires, which have burnt out more than a million hectares and have been effectively the worst fires we have had in this state for the last 60 years, have been burning now for some

51 days. Regrettably it is with sorrow that I advise the house of the tragic death overnight of a Department of Sustainability and Environment firefighter after storms and localised flash flooding occurred in the Upper Buckland Valley late yesterday.

I am sure all honourable members will join with me in offering our condolences and sympathy to the family, friends and colleagues of the firefighter involved. Two other department firefighters were also injured in the incident, in which it is understood that the Department of Sustainability and Environment fire vehicle was washed away in a flash flood which occurred in that region.

We will be undertaking an inquiry into this matter. I am advised that there will be a police investigation, together with a coronial inquiry and a departmental inquiry, of course, in the Department of Sustainability and Environment. Worksafe Victoria will also conduct an investigation.

This accident occurred within hours of a second incident, where the pilot of a firebombing aeroplane survived the plane going down south of Mount Buffalo. Again I can indicate to the house that there will be a full investigation into that matter also, which will include an investigation by the Department of Sustainability and Environment and the Australian Transport Safety Bureau.

These incidents serve to remind us of the terrible risks taken by firefighters around Victoria in fighting these fires. They have done a magnificent effort — a heroic effort — in containing the fires, in saving lives, in saving property, in making sure the fires have not caused the harm they could have caused otherwise. Regrettably, overnight we have had incidents in which we have had a loss of life. All people in this house pass on their sympathy to the family, friends and colleagues of the firefighter involved.

Some 2800 departmental staff have been fighting the fires from the Department of Sustainability and Environment, the Department of Primary Industries and Parks Victoria. They have been there for some 51 days. I am sure they will find this incident overnight a very difficult one to accept. Again I say to them, they have the support of this house and the people of Victoria.

I can also advise the house that in the last 24 hours the western end of the fire zone has received thunderstorm activity with 30 millimetres of rain recorded at both Mount Buller and Mount Hotham, which has been very pleasing. Unfortunately the eastern zone of the fire has received little rain, but there is some hope that there will be some rain tonight and relief, therefore, for firefighters imminent in the next few days.

We should again, as we did yesterday, honour those who have fought in the front line in protecting properties, lives and important strategic assets in Victoria. It has been a magnificent effort on behalf of the whole of the state. Our sympathy goes to the family, friends and colleagues of the firefighter. To all those firefighters we say, 'A job well done!', and acknowledge their efforts to date.

Hospitals: nurses wages

Mr RYAN (Leader of the National Party) — I refer to the Auditor-General's report on public sector agencies, which reports that the 'overall financial position of public hospitals deteriorated sharply in 2001–02' and that four regional hospitals are experiencing financial difficulty and a further 12 hospitals have recorded unfavourable results.

Given that the Auditor-General states that costs associated with the nurses enterprise bargaining agreement are partly to blame for this and that quality of care may be compromised, will the Minister for Health guarantee that service provision will not be compromised by unfunded wage agreements?

Ms PIKE (Minister for Health) — I would like to start by reminding the house that a report, which was commissioned by this government in 1999, showed that our hospital system was technically insolvent. That is the base that we have been working on and we have had a huge task ahead of us over the last few years in rebuilding our hospital system. That has been in the context of an enormous increase in demand — we are treating an extra 35 000 patients every year.

More recently there has been an enormous increase in demand in our emergency wards. In this context, however, we have been rebuilding our hospital system so that we, here in Victoria, have a world-class health system. We have boosted funding by about $1 billion, opened more beds, hired 3300 extra nurses and have put nearly $1 billion into a capital works program. The work has not stopped there. Over the next four years through our hospital demand strategy around $900 million of extra funding will continue to boost capacity. We will be preventing unnecessary admissions and will be substituting for more appropriate alternative care to hospital admissions.

We have already put a strategy in place to closely monitor and work with our hospitals to help them manage their finances. There are a number of elements

to that strategy: negotiating with the federal government to help it provide a fairer deal for public hospitals — —

Mr Ryan — On a point of order, Speaker, and on the issue of relevance, the question was directed toward the alarming trend that has emerged in today's production from the Auditor-General when compared to last year. I ask that you direct the minister to answer the question that was asked of her.

The SPEAKER — Order! I do not uphold the point of order. The minister was addressing herself in relation to the financial situation of hospitals in the state, including country hospitals. I ask the minister to continue.

Ms PIKE — As I was saying, we have already put in place a range of strategies to closely monitor and work with the hospitals to assist them in managing their finances. Apart from assisting the federal government in coming to terms with some of its responsibilities — the blow-out of costs and its need to have adequate indexation of those costs; the changes in the bulk-billing regime, which has seen a genuine decline in bulk-billing; and further presentations — we are also looking at other mechanisms to improve revenue into our hospital system.

We are pleased to welcome the Auditor-General's input. One of the things that he has drawn attention to — and it has been noted in the question by the Leader of the National Party — is the matter of the increase that came about in nurses wages as a result of the enterprise bargaining agreement (EBA). We have already acted upon the Auditor-General's recommendations in this regard. The Department of Human Services has worked with every hospital right across this state. There has been a comprehensive evaluation of that particular claim that the nurses' EBA was not funded adequately. The Auditor-General's request, in fact, has been fulfilled.

In the response of the Department of Human Services to the Auditor-General's request we can read that, one by one, hospitals have been systematically approached and talked to. There has been an evaluation of this particular claim about appropriate levels of funding, and that claim has not been substantiated.

Industrial relations: federal system

Mr HUDSON (Bentleigh) — My question is to the Minister for Industrial Relations. Will the minister inform the house of any plans the Victorian government has to improve the federal government's industrial relations systems as it operates in Victoria?

Mr HULLS (Minister for Industrial Relations) — Victorian employers and employees alike are struggling to free themselves from the shackles of the federal Workplace Relations Act. It is a story of strikes, lockouts and industrial chaos, a story which the Victorian work force really wants no part of. The only explanation for this Dickensian saga is that its protagonist has not grown up. Unable to get into the main leadership game, the federal Minister for Workplace Relations, Tony Abbott, is attempting to manufacture a war for himself. Now psychologists would have a lot to say about this, and I hate to think what the results would be if the shrinks were sent in to the federal cabinet. As we know, they were sent in to the opposition — —

The SPEAKER — Order! I remind the Minister for Industrial Relations that he must confine his answer to matters relating to the government of Victoria, not the federal government.

Mr HULLS — We know the shrinks were sent into the Liberal opposition, but it would be interesting to know what answer the federal Minister for Workplace Relations would give to the question, 'Do you usually get along with imaginative people or realistic people?'.

Honourable members interjecting.

Mr HULLS — What was your answer?

The SPEAKER — Order! I warn the Minister for Industrial Relations that I will not continue to hear him unless he addresses his comments to Victorian government business.

Mr HULLS — I can say that Mr Abbott's war is a war of conflict and a war of blame and recrimination. The troops are the hard-working employers and employees of Australian industry, and the collateral damage is high.

Mr Ryan — On a point of order, Speaker, on the question of relevance, in the context of global events I think the use of the expressions 'war' and 'troops' is ill-advised. I ask you to direct the minister not to use those expressions in the context of this question time.

The SPEAKER — Order! The Chair does not have the authority to make that ruling, but I do ask the Minister for Industrial Relations to confine his remarks to Victorian government business.

Mr HULLS — I was asked about the state government's plan to improve the federal government's industrial relations scheme as it operates in Victoria. The point I am making is that the federal government's industrial relations regime is based on dog-eat-dog, where two combatants get themselves into a ring and beat the living tripe out of each other, and the last person standing is the victor. It is totally inappropriate.

The Bracks government knows that employers and employees are not interested in this type of war; they are interested in cooperation. The Bracks government is committed to educating the federal government about modern industrial relations. I will be meeting with Tony Abbott today — this afternoon, in fact — to provide him with a better way, a 10-point plan for the reform of this divisive legislation. This 10-point plan allows for businesses to grow while providing security for employees. It also cements the role of the independent umpire, the Australian Industrial Relations Commission. It is the future for industrial relations in this state — a future built on collaboration, not conflict, and built on mature dialogue, not childish games.

I expect to have a fairly vigorous meeting with Mr Abbott this afternoon and to come out of that meeting having educated him on what a modern industrial relations regime is all about. I hope that after this meeting we can work together on a truly constructive industrial relations package where no war is on the horizon.

Central City Studios: Docklands tender

Mr DOYLE (Leader of the Opposition) — My question without notice is to the Premier. I refer the Premier to his answer to my last question, and I ask: will he immediately release the Pricewaterhousecoopers probity audit of the tendering process to the Docklands film and TV studio?

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question. As I mentioned before, the great benefit of the Auditor-General is that he has investigated and examined, as he is required to do under the laws of Victoria and as he will be required to do in the future.

In this case, the Auditor-General has received all the relevant documents, including the probity audit reports. He made his assessment on that basis and still found that the preferred tender has been undertaken in accordance with the Victorian government's policy and probity guidelines. So the Auditor-General, having had all those documents available to him, has made his recommendation and has confirmed, effectively, that those matters have been — —

Mr Doyle — On a point of order, Speaker, on the question of relevance, on 11 September last year the Premier promised he would release such an audit, and my question simply asked whether he will honour that promise.

The SPEAKER — Order! I do not uphold the point of order. The Premier is responding in a manner that is relevant, and I am not in any position to direct the Premier how to answer a question.

Mr BRACKS — The Auditor-General has had furnished to him every document required to make the assessment, and he has found that that assessment was done appropriately and in accord with the tender purchasing arrangements.

Hospitals: health care agreement

Mr ANDREWS (Mulgrave) — My question is directed to the Minister for Health, and I ask: will the minister advise the house on the current status of negotiations on the commonwealth-state Australian health care agreement and what the implications of this agreement are for the Victorian public hospital system?

Ms PIKE (Minister for Health) — I thank the honourable member for Mulgrave for his question. The Australian health care agreement is due to expire at the end of June this year. It is the largest commonwealth-state funding agreement in the history of this nation. Given the significance and importance of health to the Australian population and to the people of Victoria specifically, this should provide very fertile ground for discussions about how we can improve our public health system.

We know that public health in Victoria and Australia is facing enormous challenges. There has been a significant decline in bulk-billing; we have the growing demands of an ageing population; and, of course, we have technological advances. All of these things together are putting pressure on our public health system.

There is a fundamental expectation that every person in Australia should have reasonable access to a hospital and reasonable access to a GP. These expectations, the very planks of the Medicare agreement, are now being eroded. So we know we have challenges, but, of course, challenges always provide opportunities. Senior clinicians in the public hospital system, the Australian Medical Association and even groups that have been established under the auspice of the ministers'

agreement between the commonwealth and the states, all say that there is an urgent need for reform. There is a need for reform in areas such as the interface between aged care and acute care, reform in the better relationships that need to exist between GPs and emergency departments, reform in the area of the private health rebate, and certainly there is a need for a better funding deal for public hospitals. Nobody in this house would disagree with the need for a better funding deal for Victorian hospitals.

In November 2002, during our caretaker period, at the health ministers' conference the state and territory health ministers were advised by Senator Patterson to go away and come back with a package of reforms. That is exactly what the state ministers did. An official Australian health ministers' conference was then scheduled for Friday last week so the state ministers could hear from the federal minister about what was to be the response of the federal government to the reforms that were recommended. In an unprecedented move Senator Patterson simply did not show up at the meeting! This is absolutely unheard of. It clearly demonstrates that the federal Liberal government has no commitment to Medicare. It is happy for it to be starved to death, and it would write if off as a failure. It is incumbent on honourable members opposite to use their considerable influence on their federal counterparts to remind them that this is an issue that is absolutely critical to the health of our nation.

We have already taken the lead in Victoria. Our hospital demand strategy, our rebuilding programs, the injection of over $1 billion into our health system and the hiring of extra nurses show all of the things that have been the hallmark of this government. But we know there is a lot more to do, and we have made commitments for further investment into health. Unfortunately, the federal government has put health on the backburner. In fact it was quite enlightening to hear that Senator Patterson's reason is that she was nervous about the New South Wales election. I think it is more the case that she was embarrassed, and she has very good reason to be nervous and embarrassed, because it was Peter Costello who was reported on 24 February to have said that there will be no new funds available to arrest the fall in Medicare bulk-billing. So there it is, the cat is out of the bag!

This is a very desperate situation, because we know that without adequate indexation of the Australian health care agreement and without the ongoing commitment to the absolutely essential reforms we are going to be in a very difficult situation in Victoria. Clearly, the federal minister is not taking this matter seriously. She is not concerned about the decline in bulk-billing, and the federal Treasurer is pouring cold water over the whole idea. This is a once-in-a-five-year opportunity to do something substantial to really improve the delivery of health care and to make that fundamental choice about whether we can continue — —

Mr Ryan — On a point of order, Speaker, I draw your attention to the fact that the minister has been talking now for some 4½ minutes, and I ask you to ask her to finish and sit down.

The SPEAKER — Order! I uphold the point of order, because according to my timing she has actually been talking for 6 minutes. I ask the minister to be succinct and conclude her answer.

Ms PIKE — The Bracks government has shown its commitment to rebuilding our health system in Victoria with more money, more nurses and a major rebuilding program. What we need now is the federal government showing that same level of commitment.

Community safety emergency support program

Mr WELLS (Scoresby) — My question without notice is to the Minister for Police and Emergency Services. I refer the minister to the community safety emergency support fund, a fund which provides millions of dollars for vital equipment needed for the Country Fire Authority and the State Emergency Service, and I ask: can the minister explain why he signed off on this vital equipment in August 2002 but did not announce the funding until the first day of the election campaign, making it too late for brigades to purchase the equipment for the current bushfire season?

Mr HAERMEYER (Minister for Police and Emergency Services) — The community safety emergency support program (CSESP) is an initiative of the Bracks government that, for the first time ever, provides a source of funding to State Emergency Service (SES) and Country Fire Authority (CFA) volunteer units to obtain equipment, trucks and other things that are important for them to do the work that they do. In the past that has been neglected. It enables matching funding to be provided so that items of equipment may be provided quicker than they otherwise might be or so that items of equipment that might otherwise not be able to be purchased at all can be purchased. Money for the CSESP comes out of the Community Support Fund. I am pleased to advise the house that we are rolling it over for another $10 million over this term of government so more SES units and CFA brigades can benefit from it.

Mr Wells — On a point of order, Speaker, on the issue of relevance, the point of my question is about how it sat on the minister's desk from August 2002 and was not announced until the first day of the election, making it too late for the bushfire season.

The SPEAKER — Order! I overrule the point of order. The minister has only begun his response; he has only been speaking for 1 minute.

Mr HAERMEYER — The community safety emergency support program is a great initiative for volunteer SES and CFA brigades, but it is a subprogram of the Community Support Fund. A process takes place. Firstly the CFA and SES set up a process whereby they evaluate submissions, which are ultimately put to me. I sign off on those submissions and they are then submitted for the Premier's signature and for the ultimate endorsement of the Community Support Fund. It goes through a proper process. I know that is something foreign to honourable members on the other side of the house, but it does have to go through a proper process. Those units and brigades are now in receipt of those funds, much to their own benefit.

Let me say that the CFA in particular — —

An honourable member interjected.

Mr HAERMEYER — 'The bushfires are nearly over', he says. Well, when I — —

Mr Wells interjected.

The SPEAKER — Order! The honourable member for Scoresby has asked his question!

Mr HAERMEYER — When I raised the issue of bushfires and the danger of this bushfire season in the house last year the Leader of the Opposition said it was dull. For an honourable member who sat in this house for seven years representing an area covered by the CFA who did not once see fit to mention the expression 'CFA' in this house over those seven years, this is breathtaking hypocrisy. For seven years he did not even know they existed.

The SPEAKER — Order! I ask the minister to return to answering the question rather than abusing the opposition.

Mr HAERMEYER — Not only has this government supplemented the CFA with community safety emergency support funding, but it has also provided the CFA with a $120 million boost in terms of training, equipment and volunteer support, after seven years of funding starvation by the honourable members of the other side.

In addition to that, this government has provided increased aerial support and increased resources through the Department of Sustainability and Environment in terms of additional firefighters. We have never been better equipped to deal with fires, and that is shown by the magnificent efforts of our fire services this fire season.

Commonwealth-state financial relations: reform

Mr STENSHOLT (Burwood) — My question is to the Treasurer. Will the minister please advise the house of any recent evidence which highlights the need for reform of commonwealth-state financial relations and in particular how Victoria is being affected by the current arrangements?

The SPEAKER — Order! That is a very broad question, so I ask the Treasurer to respond in a fairly narrow manner.

Mr BRUMBY (Treasurer) — I can advise the house that there have been some recent events which confirm the need for reform of commonwealth-state financial relations. Yesterday the Commonwealth Grants Commission released its 2003–04 annual update, which provides the latest breakdown of funding allocations between the states.

What it shows is that for the financial year 2003–04 Victoria will be subsidising the other states of Australia to the tune of more than $1 billion, or $220 for every man, woman and child across the state of Victoria. If you look at all of the states that contribute and are treated unfairly under this ramshackle, outdated system, you see the total subsidy paid to the other states by Victoria, New South Wales and Western Australia is $2.8 billion. It is an intolerable, unfair system; it is an unjust system, and it penalises the people and industries of Victoria.

We believe this system is in urgent need of reform, and what we are looking for is some leadership from the federal government to reform this system, which works against the interests of Victoria and other states. It also means that for every $1 Victorians pay in Mr Howard's GST we get back just 82 cents. That means Victoria will not break even under the GST agreement until 2007–08 at the earliest.

The fact of the matter is that when you analyse it at the end of the day in terms of broad commonwealth-state financial relations and specific agreements you find that

it is Victoria that is doing all of the work for the commonwealth. Victoria is the powerhouse, and we are not being paid appropriately for it.

I will give you a couple of examples. If you take drought for example, to date the Victorian government has paid out more than $30 million in drought payments and, despite the full-page advertisements from the federal government, do you know how much the federal government has paid out? Three million! We paid out $30 million; they paid out $3 million — a ratio of 10 to 1.

For the Wimmera–Mallee pipeline, do you know how much we put in our forward estimates? Seventy-seven million. How much has the federal government put in its forward estimates? Seven million; a ratio of 11 to 1. For regional infrastructure developments we put in $360 million; the federal government has put in what? Zero! For the Geelong bypass we have committed $190 million, and how much has the federal government committed? Zero! For the Kyneton–Faraday section of the Calder Highway we have put in $70 million, and how much has the federal government put in? Zero!

And of course there is the rail standardisation.

Mr Doyle interjected.

Mr BRUMBY — The Leader of the Opposition thinks the bushfires are dull and thinks the federal government robbing the state of Victoria is funny. Don't you? You think it is funny.

Honourable members interjecting.

Dr Napthine — On a point of order, Speaker, the Treasurer is now debating the issue, and I ask you to bring him back to the question.

The SPEAKER — Order! I ask the Treasurer to come back to answering the question, but I also suggest that if the Leader of the Opposition does not interject the Treasurer will be able to do so more clearly.

Mr BRUMBY — And of course, there is the rail standardisation, a matter close to the heart of the honourable member for South-West Coast; we have committed in forward estimates $96 million for that project. The commitment of the federal government is another what? Zero!

This is a serious matter for the people of Victoria. We are being robbed in terms of Commonwealth Grants Commission funding to the tune of more than $1 billion.

We have put reform proposals. We do not just say there is a problem, we have offered a solution. We have put reform proposals to the federal government and do want the federal government to provide the leadership to adopt those solutions.

If you look at the single agreements — whether it is, as I said, drought, whether it is the Wimmera–Mallee pipeline, regional infrastructure, the Geelong Western bypass, the Calder Highway or rail standardisation, or whether it is commonwealth-state health agreements — the commonwealth is not paying its due share. We are shouldering most of the responsibility and paying most of the bills, and it is about time the commonwealth put in to Victoria and helped the Bracks government meet the commitments that all Victorians want to see achieved over the next few years.

Broadmeadows Employment Project: grants

Mr HONEYWOOD (Warrandyte) — My question is to the Minister for Education Services, who is also the Minister for Employment and Youth Affairs. I refer the minister to her media release of 12 December 2002, in which she announced two grants, each of $99 450, to the Broadmeadows Employment Project, an organisation set up by ex-federal member of Parliament, Andrew Theophanous, and I ask: on what basis did the minister approve these grants to an organisation which was unconstitutional and which is now the subject of a Victoria Police investigation for corruption?

Ms ALLAN (Minister for Education Services) — I thank the honourable member for his question, which is rather detailed and goes to the matter of employment programs provided in Victoria.

As the honourable member well knows, in its first term the Bracks government provided a range of successful job programs throughout the state, including the community jobs program, which saw over 6000 people placed across Victoria. The performances in that program were quite successful. We also had 43 providers of the community business employment program assisting people across Victoria — people the federal government will not fund — who need urgent assistance in this area.

We are going to build on the work we have done in our first term in government. As the honourable member has identified, we have continued to make a number of grants in the area of employment programs. However, as the honourable member has requested specific information, which of course I do not have available at

the moment, I will get back to him on the specifics to do with that matter.

Water: funding

Ms LINDELL (Carrum) — My question is to the Minister for Water. Will the minister inform the house whether the commonwealth has agreed to match Victorian government commitments on new water initiatives?

Mr THWAITES (Minister for Water) — I thank the member for her question. During last year's election campaign the Premier outlined a 10-year vision for the security of our precious water resource in Victoria. By contrast, we note that it is not only the opposition here in Victoria but also its federal Liberal and National Party colleagues who have no vision for Australia's water resource and who have failed to assist in the key task that we as governments have of preserving water.

There has been a lot of talking from the commonwealth about how important water is, but there has been precious little money — in fact, almost no funding at all. Last year, when the Bracks government implemented the new farm dams laws, there was no assistance from the commonwealth to ensure adequate support for that very important environmental legislation. But then we can see one of the most significant water projects in this state's history — the Wimmera–Mallee pipeline.

In December the Premier and I again visited sites that will be subject to the Wimmera–Mallee pipeline. We met with many people in that area who were very excited about the Victorian government's plans for the pipeline, but I have to say there was a good deal of anger that the federal National Party and the federal Liberal Party were failing to provide any real assistance on this very important project. They are prepared to talk about it — they talk about designs and talk about studies and plans — but where is the money for the pipes? Not a cent for the pipes! That just typifies the attitude of the federal Liberal and National parties. I hope the honourable member for Lowan and other members on the opposition side are able to exert some influence over their federal colleagues.

A more recent concern relates to the Snowy River and the very important project to restore environmental flows to the Snowy. We have already started in Victoria by committing $25 million to a package of initiatives to see some 25 gigalitres of water go down the Snowy. But the commonwealth is now refusing to rule out putting a tax on the funds received by the joint government enterprise to restore environmental flows. The commonwealth has indicated that it may tax that joint government enterprise. It has refused the very reasonable request from Victoria and New South Wales that, should there be a tax on the joint government enterprise, the money be rebated back to the enterprise.

Clearly that sort of action is delaying the implementation of the joint government enterprise. We call upon the commonwealth to immediately rule out taxing that joint government enterprise, or alternatively to agree to at least rebate the moneys for environmental flows.

This government has put its money where its mouth is when it comes to water. We have supported the projects and we have put resources into those projects; but until the commonwealth does its fair share, Victorians, the environment, farmers and communities will all miss out on the support that they need.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed.

Ms ASHER (Brighton) — Speaker, I commence by congratulating you on your election to high office. I think it is particularly significant to have women in senior positions in politics and in Parliament. I look forward to one of these days moving beyond the stage of firsts and seeing women in these positions as a matter of course so they are no longer commented on. I will, however, warn you that I suspect tougher standards will be applied to you, given that you are a first, and I wish you every success in the role that you are about to play. Women who take on firsts have on occasion to bear a heavy burden. I genuinely wish you well in your undertaking this role.

I would also like to express my personal appreciation of the previous Speaker. I think he was a fair, just and decent man, and I wish him particularly well in his retirement.

After being elected to office you, Speaker, took time to reflect on a parliamentary debate that occurred in the other place in 1922 on the Parliamentary Elections (Women Candidates) Bill, which allowed women to become members of Parliament. If the house will allow me the liberty of making a broad-ranging contribution on the address-in-reply I would like to make a couple of references to that debate and to reflect how far women have come since 1922.

I note the comments from the Honourable J. H. Disney in this debate, an alarmingly brief debate given the enormity of the bill. One of his comments that I like in relation to the long hours follows on from the quote that you, Speaker, used the other day. He said:

> Personally, I think women are just as well able to sit long hours and take part in debates as men are. At any social function it is generally hard to get the ladies to come away, though the men are tired before the evening is half over.

I wonder if that applies to this place. The honourable gentleman then went on to say about what must have been a vigorous debate the previous night:

> I think that if we had a few ladies here we should not have debates such as the one we had last night, which seem to be a bit unpleasant for the minister. Probably the presence of the ladies would have a steadying effect on the male legislators. When we are in trouble we usually run to women for advice.

That was then followed by an interjection from the Honourable R. Williams, who said:

> When they are in trouble what do they do?

To which the Honourable J. H. Disney responded:

> They do not get into trouble unless men are the cause of it.

That is a wonderful reflection on the house today. Indeed, the Honourable J. H. Disney went on to say — —

Mr Haermeyer interjected.

Ms ASHER — It is a reflection; it is said by a man about women. He went on to say that women would deal with different issues in Parliament than men. He claimed:

> One of the first things women would endeavour to do if they were in Parliament would be to impose a tax on bachelors.

I have not yet seen any proposals for a tax on bachelors, but that, in fact, leads me into the Governor's speech, because I am concerned about how the government will fund all of its expenditure items outlined in the Governor's speech. If one looks at the performance of the Bracks Labor government in its first term of office, the hallmark of this government, even though we are in an era of high taxation, is that we saw a 30 per cent increase in expenditure — a very large increase in expenditure — compared with a 20 per cent increase in revenue. Any household knows you cannot spend more than you earn. Yet these are the stark figures of the first term of the Bracks Labor government.

The government was completely dependent on windfall gains of revenue, in particular from payroll tax — a tax on jobs — and from stamp duty. I note that the Bracks Labor government continually puts forward forecasts of stamp duty revenue going down in an era of property market increases.

In my own electorate of Brighton, just to illustrate to honourable members how inequitable these property taxes are, a median-priced house in Brighton attracts a stamp duty tax of over $40 000. In Brighton East, a median-value house is taxed at over $31 000. It is on these revenue windfalls that the Bracks government has depended for its expenditure in its previous term.

I also note what is missing in the Governor's speech — any commitment to tax cuts. We are seeing tax collections at record levels in the state and in the Governor's speech there is no reference to any further tax cuts. We have some minor chipping away at the edges in tax, but no substantial tax cuts. Indeed, given my responsibilities as the shadow minister for manufacturing and exports, I know that the Australian Industry Group (AIG) has as its no. 1 request of the government, further payroll tax cuts. I am sure — —

Mr Haermeyer interjected.

Ms ASHER — We cut payroll tax in three successive budgets. Give me another question and I will answer that as well. I urge the government to look at payroll tax cuts in response to AIG's request for further payroll tax cuts in this budget.

I also note that one of the great challenges facing the government is with manufacturing. In Victoria we have 800 enterprise bargaining agreements (EBAs) due for negotiation either by the end of March or the end of June. I think there is a real threat to jobs in this state if these EBAs become unravelled as a consequence of union demands.

I have listened carefully to a number of the contributions by the first-up members of the Labor Party. Many times the public and the press say that the parties are moving closer and closer together. Every time I hear inaugural speeches from members of Parliament I think these are the areas in which we show the differences between the parties. I have heard much about poverty and disadvantage, areas of social policy obviously where both sides of the house want to see amelioration, but it is in the way we get there that the two parties differ so starkly.

Again I have heard from new members how they have solutions to poverty and to disadvantage, which primarily centre around government. My solutions centre around existing jobs. I am concerned about the jobs the 800 EBAs will be focused on — jobs in the automotive industry, the automotive components industry, the food industry and the like — being

maintained. I am concerned about the growth of jobs in the state of Victoria, where taxes like payroll tax clearly have an impact on the creation of employment. Probably the best way to help people remove themselves from poverty and to remove themselves from disadvantage is to have a world-class education system in the state system which allows graduates from state schools to compete in the job market.

I am concerned about keeping existing jobs in this state. We have seen a contraction of manufacturing jobs in this state since this government came to office. Again one of the things I think the government should have concentrated on in the Governor's speech is the provision and maintenance of existing jobs and the growth of jobs in this particular sector.

The government clearly has a strong mandate and I obviously understand that this factors in some difficulties for those of us on this side of the house speaking on the address-in-reply debate where the government clearly has a massive majority in both houses. I want to take up one of the mantras that the Labor Party ran during the last election campaign. I became sick of hearing how the Labor government was undoing the 'damage' of the previous government. It talked about cuts to education, to health and to the police budget. The latter is false.

Mr Haermeyer interjected.

Ms ASHER — It is correct that there were cuts to the education and health budgets in the early years of the Kennett government. If you listen to members of the Labor Party you would think this is something that was ideological: that members of the Liberal Party had as a matter of philosophy a desire to cut health and education. I wonder why those cuts were made? It is very important to remind the house why those cuts were made in 1992 and 1993, because it is only 10 years ago. The answer, of course, was that the state was broke. We had Cain and Kirner governments and a $2 billion deficit on the current account and if you want to include unfunded superannuation liabilities, we had over a $60 billion debt.

The net effect was that a large slab of the recurrent budget, instead of being spent on police, instead of being spent on hospitals, instead of being spent on schools, was spent on paying interest. There was no ideological passion on behalf of the government of which I was a part to cut. The last thing in the world any state government wants to do is cut schools and health, but the reasons why those cuts were imposed was the absolute negligence and incompetence of the Cain and Kirner Labor governments that preceded the Kennett government, when great slabs of the recurrent budget had to be spent on servicing interest and diverted away from the vital services that state government is charged to deliver.

Good financial management enables governments to fund social programs. That is the importance of good financial management. It is not an end in itself, it is the capacity to fund the sorts of programs that people expect from their state governments. Economic reform does not exist in a vacuum, nor have I ever heard any Liberal Party member claim that it does.

Yet if you listen to members of the Labor Party you would think that they think that we think economic reform — economic good management and fiscal rectitude — is an end in itself. It is not. It is there for a social purpose. It is there to enable a government to have sufficient funds to fund schools, hospitals and police. I refer to the point at which I started in relation to the Bracks Labor government's performance in its last term: a 30 per cent increase in expenditure versus a 20 per cent increase in revenue. Everyone knows that you cannot run a household like that, and you cannot run a state like that.

The test for this government in its second term will be its capacity to deliver its services. First, its test will relate to timeliness. I note in the 1999 Governor's speech a raft of projects were listed, notably the airport rail link, which has not happened; the fast rail service, which has not yet happened; the so-called saving of Waverley park, which has been abandoned, like the fast rail link to the airport. These projects that were mentioned in the 1999 Governor's speech have not eventuated. So one of the government's tests will be its timeliness in delivering this program. It is a second-term government now. It cannot blame the federal government, even though it will try; it cannot blame the Kennett government, even though it will try; it is now a second-term government. In the second term can it deliver what it failed to deliver in the first term?

Most importantly, it is going to be the quality of services on which it is judged. At the moment it prides itself on throwing a lot of extra money into health and education, but in the end the public will judge this government on the quality of services. How long will the waiting times be in hospitals? They are longer now than they were when the government was elected to office. Can our kids in state schools read and write? Let's test them and see. In other words, will all this extra money, all these extra taxes that have been pumped into these services, yield an outcome?

It is my contention, and it is the contention on this side of the house, that the public is not particularly focused on the inputs; it is focused on the outcomes. Are we safe in our homes? Are we safe in our streets? Can our kids read? Can our kids write? Do kids from government schools get equal opportunities in the society in which we live? That is what I am concerned about. Do people get treated in hospitals? Are they waiting longer on trolleys? And the answer to that is, 'Since 1999, yes'. That is the test of this government. Can it deliver the services it promised to deliver in 1999, particularly to regional Victoria? It has not. Sure, it has pumped money into it, but can it actually deliver the outcomes?

The ACTING SPEAKER (Mr Ingram) — The honourable member for Bayswater has the call. I remind honourable members that this is the honourable member's inaugural speech and he should be heard in silence.

Mr LOCKWOOD (Bayswater) — Firstly, I congratulate the Speaker on her appointment to office. I am pleased to be part of this new era, and I am pleased to see you, Acting Speaker, in the chair too.

I wish to acknowledge the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to its elders. It is great to be here, but I am humbled by the experience; it is a bit awe inspiring.

I thank the Labor Party members and supporters who worked so hard during the election campaign. Of course I will remain grateful. I thank the voters of Bayswater for having confidence in me as their representative for this term. I thank my family, who have been helping out at elections for a number a years, especially my son Laurence and daughter Catherine, who have been regular sights at polling booths since they were knee-high. I also acknowledge my wife, Marie, for her unstinting support and my parents for their long-term support at elections.

I also acknowledge the former honourable member for Bayswater, Gordon Ashley, who was the first member to hold this seat. We were keen competitors over the last little while. Before Gordon other members of the ALP represented the area. The former seat of Wantirna encompassed Bayswater, Wantirna and Wantirna South and was represented in this place from 1985 to 1992 by the Honourable Caroline Hirsh, now a member for Silvan Province in the other place. The seat of Ringwood covered the suburbs of Ringwood, Heathmont and Ringwood East, now part of the Bayswater seat, and the Honourable Kaye Setches was the member for Ringwood from 1982 to 1992. They represented their constituents well.

We may speak of a record majority here, but it has been a long road back for Labor in the east. There have been many who have stood and failed, but at last we have re-established our credibility in the east and have prevailed. This was no accident. It is due to hard work and a willingness to learn the hard lessons of the past. Facing up to our failures was an essential part of renewal and learning.

I will represent all the people in the Bayswater electorate regardless of whether they voted for me or not. No-one is excluded. I look forward to the challenge of getting to know every part of my electorate even better and standing up for it. I come from the outer east where things are a little different from the inner suburbs. The change from a country-style life to a citified life has been more recent, and the village atmosphere of some suburbs has persisted longer — sometimes to our advantage, sometimes not. Some parts of the electorate were apple orchards a few years ago; some parts were developed a lot earlier, but on large spacious blocks with large numbers of canopy trees. Improving services is still a challenge, as is the acceptance of higher density development.

The electorate of Bayswater has a cross-section of people in a cross-section of suburban life, from ordinary working people to professionals to small business owners. There is a significant light to medium industrial area, significant vegetation, and idyllic bush areas; there are suburban homes on suburban blocks; and there are rows of units. The east prides itself on its leafy environment, and it is these pleasant surrounds that have attracted so many people there, which means the environment is important to us all. We must pay attention to the key aspects of our local environment because that plays its role in the global environment. Tree canopy, stormwater retention, greenhouse gas emissions, local creek and water quality are all significant. People need to be encouraged and educated about these issues, and the government has a key role.

I met many people during the election campaign last year. I met Alec, an aged pensioner still waiting on his elderly persons unit and concerned at the rent he was paying to a private owner. I met Brian in his suburban home; he was concerned about the public transport that he did not have in his neighbourhood. I met Elsie, who was concerned about mental health facilities for her son. These were some of the issues.

I also had the opportunity to share the concerns of many people running small businesses in the electorate.

There were those who are positive, like the traders of Studfield, who run excellent businesses and who live and breathe success. There are others who see nothing but limits on their success and talk themselves and their areas down. We need to help these businesses realise their own potential.

I was impressed with the dedication and work ethic of most business people, who are prepared to invest huge amounts of time and often risk their homes in order to be successful. I should also mention that I met the occasional exploiter in my travels, those few who push and bully their employees and their business neighbours in unacceptable ways. We need to be vigilant about those kinds of employers.

I support business because a strong economy creates jobs. A good job should be the best form of welfare. The east has been through a tremendous growth phase over the past 20 years. There are few greenfield sites left for development, and we now face the challenge of infill.

The area has many schools as a result of the growth and large numbers of young people in search of opportunity, recreation and a future. This is a challenge for us. Many parts of the east are lacking in facilities for young people, and this often shows up as graffiti and vandalism. We must address this alienation by engaging with local young people and addressing their needs as they see them.

The Mitcham–Frankston freeway is the key issue for my constituents. I note that earlier the honourable member for Scoresby was supportive of this great government project. It will bring great relief to the long-suffering road commuters in the area and, more importantly, it will bring a large economic return to the outer east and south-east of Melbourne. Transport infrastructure is a key factor in economic success, and we all look forward to the completion of the project in 2008, as was agreed with the commonwealth.

Having mentioned road transport I must also say that high-quality public transport is high on my agenda for the outer east. My electorate has four railway stations, so it is fortunate in that respect, but other parts of the east are not so lucky. In the recent past it was normal to have no public transport at all after 7.00 p.m. on weekdays and not at all on weekends. It is still normal not to have a bus after 7 o'clock.

I look forward to supporting the government's plan to encourage more people to use public transport, to making our services more frequent and to telling people how good and safe the service really is. I look forward to the extension of the tramline along the Burwood Highway from Burwood East towards Knox, and I again thank the honourable member for Scoresby for his support on that issue earlier. I look forward to the further implementation of the smart bus services we see appearing in the outer east.

On the subject of fire protection, a subject on our minds of late, the electorate of Bayswater is serviced by both the Metropolitan Fire Brigade (MFB) and the Country Fire Authority. Both services do a great job, and it is worth noting that the southern part of the electorate is serviced by volunteers for much of the time. I have heard acknowledged in this place the magnificent efforts of our firefighters in the north-east of the state.

I would also like to acknowledge the MFB firefighters who staffed the suburban stations of the Country Fire Authority's outer suburban brigades. They filled in for the CFA volunteer firefighters and ensured that normal levels of fire protection were maintained locally. I thank them for that.

I represent parts of the cities of Maroondah and Knox, and as many will know, I have recently served a term as a councillor with Knox. The City of Knox has been a leader in local government for a number of years, and I am proud of my small part in those achievements.

A project I worked on at council level was the rejuvenation of the Bayswater shopping centre. It had become quite run down, had a high number of empty retail premises and was a threatening environment to some. The local council invested in the centre, as has the government via Streetlife grants, and I hope to continue my advocacy of the rejuvenation of this important and historic suburban township.

The approach I took was to get community members, traders and the council working together to figure out what shape the centre should be and begin working towards it. We all needed to share the problems and solutions so that we could achieve the goal of creating a new heart for the suburb of Bayswater. It will not be what it was in a historical sense, but it will provide that sense of community and participation that is so needed. At the centre of that heart is a successful retail and business centre. My approach was very much to roll up my sleeves and get stuck into the problem, along with everybody else.

I have been a member of the board of Eastern Regional Libraries for the past three years and am conscious of the very high usage of libraries and the constant cost pressures. There is always a need to improve the book

stock and a need to use technology to connect people to knowledge.

At Knox I was a staunch defender of council-provided children's services. Knox is one of the few local government authorities that still provides a preschool service. Investing in our children will pay dividends in later years. I very much believe in that. Investing in people is something a Labor government should always do.

There are 25 educational facilities in the electorate of Bayswater, including 11 primary schools, 6 secondary schools, 1 specialist school for autistic children, 5 Christian schools, and 2 LOTE schools. We also have the Adult Migration Education Service. I have in the past been an AMES tutor — a volunteer job I enjoyed immensely.

Education, I am sure we all agree, is extremely important. There must be ample opportunity to provide the children in the area with a solid educational basis. We must ensure retention in the later years. VET programs in this area have been a huge success and have provided new opportunities for many children.

I will be visiting all schools in my area, and I will understand their needs. Interaction to date has shown me that the major concerns are about maintenance. How they address these problems will be a challenge for the schools and their local members.

Learning is a lifelong thing, as is shown by universities of the third age in the area. There are over 800 participants in Knox alone, and it is still growing. They are a very participatory group in need of support. They are very keen to keep learning, and they do not want U3A to be seen as a service to keep senior citizens busy but as an important educational facility that has benefits for our wider society.

We are serviced in the outer east in Bayswater by the Eastern Healthcare Network, which is busily expanding its facilities to better service the region. We are looking forward to improved services at the Maroondah and Angliss hospitals and the new 60-bed facility to be built at Knox.

My working life for the past many years has been spent in information technology. I made the momentous change some years ago from being a bus conductor — a job I greatly enjoyed — to this relatively new field of computers and stayed there for a long time. I enjoyed my work in technology. I have seen enormous and rapid change in that industry, and I still marvel at it.

For a country like Australia technology has distinct advantages. We suffer from what Geoffrey Blainey called 'the tyranny of distance', which even modern airlines can only minimise; but technology can make us next door neighbours to everyone who is connected to the network. That network is extremely important to us. It follows that that network will be the basis of our economy in this century, if it is not already. It also follows that whoever controls the network and whoever controls access to it will have a huge influence on that economy.

I will finish up by saying that I became involved in politics quite simply because I believe in people. I believe that government has a role in our lives. We have to lend a helping hand to those who need it, those who fall by the wayside. Rather than leaving people floundering with their problems and consigning them to the scrap heap, we can provide opportunities to show them the way forward.

The people have put their trust in us as a government. It is an onerous responsibility, one in which I intend to play my part. I am here to work hard and produce a return for my electorate. It is the role of the government to implement the will of the people and, more broadly, to care for all its people and all their aspirations and make this state a better place. I thank honourable members for their attention.

Dr NAPTHINE (South-West Coast) — I would like to begin by thanking the people of South-West Coast for electing me as their representative and as the first representative for the new electorate of South-West Coast. I would also like to thank the electors of Portland, whom I was honoured and privileged to represent and serve for 14 years prior to the recent election and redistribution.

Like all others members, and indeed all Victorians, I would like to place on the record my appreciation of everyone who played a role in the efforts to control the recent massive bushfires in the north-east and in East Gippsland. While we should acknowledge and support those efforts, I think we as parliamentarians and leaders in the community also have a real responsibility to closely examine all aspects of these fires and learn for the future. There must be a full and proper in-depth inquiry, and this must be in a forum where everybody, including Department of Sustainability and Environment (DSE) officers, Country Fire Authority (CFA) officers, Department of Primary Industries (DPI) officers and Parks Victoria officers can give full and frank information without the fear of retribution or intimidation.

I spent the last week of January in the Swifts Creek and Omeo areas. I subsequently returned a week later to visit the East Gippsland and Alpine shires, as well as Victorian Farmers Federation (VFF), tourism and community representatives in Ensay, Swifts Creek, Omeo, Myrtleford and Bright.

An honourable member interjected.

Dr NAPTHINE — I was there fighting fires for a week. During my time in these areas several key issues were continually raised, and I firmly believe these issues must be properly and independently investigated. Many people raised the lack of government commitment to fuel reduction burning in our parks and forests. Many people also raised the impact of changed forest and Crown land management practices on fire risk. There were also issues raised with regard to the fact — and I believe it is an absolute fact — that in the past two or three years the former Department of Natural Resources and Environment (DNRE) failed to properly maintain fire access tracks in many of these areas. Fallen trees were not cleared, erosion and land slips closed tracks that were not repaired, and potholes were certainly not fixed.

There also needs to be an investigation into the fact that on 20 and 21 January there were a large number of spot fires due to lightning strikes. Many of these on both sides of the mountain were investigated and contained. However, despite five spot fires in the Razorback area being reported to the head office of DSE, and despite people in DSE in the north-east reporting those fires and seeking further resources to tackle them in their early stages, the advice was that there were no resources available — and I am advised that the advice also was to 'Let them go. They will be all right'.

Those five spot fires at Razorback, I am advised, formed the nucleus of what later became known as the Bogong complex, which destroyed much of East Gippsland, including a loss of houses in the Omeo and Cobungra areas, across to Seldom Seen and Gelantipy, and they are still burning in East Gippsland. Those sorts of things really need to be investigated by proper independent process.

I would also like to express my concern that the government has been too slow with too little too late in response to the needs of farmers, businesses and local communities affected by the fires. I recall that in January 2001 the then agriculture minister, the Honourable Keith Hamilton, announced that the government would provide funding to farmers to repair boundary fences destroyed by bushfires following the Stawell and Glenorchy bushfires in the previous December.

That was announced within a few weeks of those fires, and yet here we are weeks and weeks later and farmers in East Gippsland are still waiting for a government decision on assistance with boundary fencing. No immediate funding was provided to assist farmers bring water to replenish their supplies to feed stock. Many households used their water supplies to defend their house and their property and there was no funding or assistance and no program to bring water back to those areas. We have only seen a minuscule $500 000 to help with the transport of fodder, and with the price of fodder and transport today, that is certainly being well and truly used up very quickly.

There has been a lack of consultation with local shires and communities. Indeed one of the issues raised on both sides of the mountain, both sides of the alpine area, was the fact that many of those areas, whether they be on the Omeo side of the mountain or the Bright-Myrtleford-Beechworth side of the mountain, was that tourism is vital to the economic rebuilding of those areas. People there wanted an immediate injection of funding from government for local tourism bodies to initiate tourism promotion campaigns to get people back into the areas for the Labor Day long weekend, when the Swifts Creek Cup is being run, and also into Bright, Beechworth and Myrtleford for the long weekend in March and at Easter.

During what should be the busiest time of year, in January, businesses took virtually no money. They lost significant amounts of money during the fires, and they want to rebuild their businesses. When I visited those areas business people said they want an immediate injection of money from government to those local tourism organisations in order to conduct their campaigns, which they are prepared and ready to run in order to rebuild those areas.

The government has announced a $1 million bushfire relief fund. That is a positive announcement, but when I asked people who was running the fund and how people could access it, I was told that the processes are not yet in place. We do not want that money being tied up in red tape and bureaucracy so it cannot be spent now, when it is needed.

Recently I went to a service to commemorate the 20 years since the Ash Wednesday fires — I was involved in Ash Wednesday as a young veterinarian. One of the things that was talked about at the 20-year reunion was that a lot of the money that was donated to help people after Ash Wednesday still was not spent

months and months later because of the bureaucracy and red tape involved. That is the last thing we need in this situation. The government needs to cut through all the red tape and get the money out to where it is needed in the shires and communities and to the farms and businesses to let them get on with the job.

I now move on to the need for a multipurpose emergency helicopter service in my electorate in south-west Victoria. Such a service is very important for the south-west and could be used as an air ambulance, for search and rescue, fire detection and control, for State Emergency Service and police emergencies and a range of other activities. Unfortunately the recent tragic loss of life at sea off the south-west coast again highlighted the need for this service. A fisherman lost his life and another fisherman was severely injured and left at the bottom of a cliff at risk of his life for many hours. The earliest a helicopter could get there to provide any search and rescue or assistance was 2½ hours. If a helicopter was based in Warrnambool, as is proposed, it would have taken 12½ minutes. It may have made the difference between life and death. It certainly would have provided a much speedier rescue for the fellow who was injured.

I will quote from an article in the Warrnambool *Standard* of 18 February to show what local people said about that incident. It says:

> Lives are being jeopardised while the south-west continues to wait for a rescue helicopter …
>
> A tragic boating accident near Peterborough at the weekend has highlighted the region's urgent need for its own service, Westvic Helicopter Rescue Service chairman John Robinson said.

An editorial in the Warrnambool *Standard* says:

> The loss of a man at sea off Peterborough again underlined the perils of the coast and reinforced the need for a rescue helicopter to be based in the region.
>
> The government continues to procrastinate over a business plan put forward by a community group that has worked tirelessly to secure a potentially life-saving aircraft.

Later the editorial states:

> Other areas of the state have quick access to rescue helicopters, so why not the south-west and indeed western Victoria?

Other recent examples include meningococcal cases in Portland where patients were not transported to Melbourne as quickly as they should have been in that emergency. A Casterton man who had a cerebral haemorrhage had to endure a 6-hour trip in a road ambulance because no air ambulance service was available. A surf skier off Port Fairy had to be rescued using a high-risk boat; it could have been done more efficiently and safely with a rescue helicopter. A female hiker with a broken leg on the Great South West Walk could have been rescued and returned to safety much quicker with a helicopter, and an injured seaman on a vessel off the coast of Portland had to suffer unduly because of the lack of that service. A critically ill child with a brain tumour was forced to travel from Portland to Melbourne by road because an air ambulance service could not get into Portland, where a helicopter based in Warrnambool could have done the job very efficiently.

There are over 170 medical emergencies a year where a helicopter would be of assistance. It is not just me saying that. In a letter dated 14 August the South West Municipalities Group said:

> The group resolved to write to you, as a local member for the region, asking for your support to the state government, for a funded rescue helicopter service to be based in the western region of Victoria. Our councils believe that a locally based rescue helicopter would provide a vital service which could help to save lives of victims of serious accident situations.

Mr Reekie, the Labor candidate for South-West Coast at the last election said that a rescue helicopter could be a reality by 2003 and that he would be making it one of his key election pledges. He said:

> If I'm elected I'm committing myself to arguing for this to be funded within the next budget period, which is 2003–04.

I would ask the government to honour the commitment made by its candidate to fund this service. Another quote from a prominent ALP figure in western Victoria is as follows:

> It is totally unacceptable that other areas of Victoria, including Bendigo, the Murray Valley and the eastern part of Victoria are all serviced by a high-speed helicopter, but western Victoria is left without this facility.

That is a quote from Mr Richard Morrow, who has been a perennial ALP candidate for the federal seat of Wannon. I conclude with a quote from another prominent Labor identity with regard to the need for the rescue helicopter:

> There is a need, there is no question about that.

That is a quote from the Premier, Steve Bracks, in a television interview in March 2000, about the south-west helicopter. Prominent Labor figures are saying it is needed; the local community says it is needed; medical evidence says it is needed — so I am calling on the government to fund this south-west rescue helicopter in the upcoming budget.

The other area I wish to address in the few minutes I have remaining is the urgent need for improved public dental services in regional and rural Victoria and particularly in the south-west. In 1999 the Labor policy included the following promise:

> To cut the waiting times for both general care and dentures.

Unfortunately the government failed on both counts. The report of the Auditor-General in October 2002 is an absolute indictment of the Labor government's dealing with public dental services. The report shows a 21 per cent increase in waiting lists for general dental care. In rural areas that is 31 per cent. People now have to wait 22 months. These are people on health care cards, the disadvantaged in our community who cannot afford private dental services, and they have to wait 22 months for general dental care. In country Victoria they wait three and four years to get a filling in a child's tooth. That is an absolute travesty. It is a disgrace. The Labor Party, which promised to fix the situation, ought to hang its head in shame. It said it was going to reduce waiting times, but waiting times and waiting lists have actually increased. Dentures — —

Mr Hudson — That report is only a year in.

Dr NAPTHINE — October 2002! Have a look at it. Read it. For dentures there has been an 18 per cent increase in the waiting list and a 24-month wait. The Australian Dental Association in November 2002 said this:

> Disadvantaged Victorian metropolitan and regional residents are waiting far too long for dental treatment …
>
> DHSV's annual report for 2002 advises that there were 218 952 people on dental waiting lists in Victoria as at June 2002, an increase of 35 000 over June 2001.

A massive increase in waiting lists. As at November 2002 the Eltham clinic had a waiting period of 39 months while Warrnambool patients in my electorate had to wait 44 months. The Auditor-General's report on the community dental service found the system under stress and facing increasing demands. Given that Victoria has the lowest per capita funding in Australia for public dental services this should come as no surprise. There is no doubt that this government has ignored the needs of some of the most needy people in our community, who need access to public dental services. There needs to be a massive increase in recurrent funding and an increased effort to attract and retain dentists; and finally, there needs to be a commitment from this government to put fluoride in the water supply of those places in regional and rural Victoria that currently do not have it.

The ACTING SPEAKER (Mr Ingram) — I call on the honourable member for Evelyn to continue with the address-in-reply. I remind honourable members that as this is the honourable member's inaugural speech it should be heard without interruption.

Ms McTAGGART (Evelyn) — Acting Speaker, I ask that you pass on my congratulations to the Speaker on her election to that high office and wish her well in her appointment to the chair as the first woman Speaker in this place.

As I stand here in this chamber I am honoured to be part of this historic Bracks Labor government in representing the constituents of Evelyn. I acknowledge the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to their elders.

I came to live in Evelyn with my husband, Greg, 14 years ago. We were attracted to the small community environment and the beautiful backdrop of the Yarra Ranges. We had just purchased our first home and intended to start a family. Sadly, after just 18 months of marriage, Greg died suddenly. He was only 33. My whole world collapsed. A quiet, gentle man, his passion for the Labor Party and delivery of social justice and protection of his co-workers had a huge impact on my life.

One week after the funeral I discovered I was pregnant. The following months were very emotional and difficult, and without my friends and family I would not be in this place today. I gave birth to Matthew, a blond-haired, blue-eyed boy who is the image of his father. In order to look after my son I left behind me a demanding but fulfilling career in finance and treasury in the short-term money market. After many years on my own, living on a sole-parent pension, I decided to go back to work part time. I certainly understand first hand the dilemma facing sole-parent families trying to juggle physical, emotional, and financial commitments.

I was determined to get involved in local community groups and, with the state of Victoria in decline under the Kennett government, I decided to join the Lilydale branch of the ALP. I am proud to say that both I and the honourable member for Monbulk are members of that branch. I have been very lucky to find another wonderful man. Ken and I are now married and we have completed our family with two-year-old twin girls, Keely and Tamsin. Life is certainly very busy.

It was during volunteer work in a local special developmental school that I discovered a love for working with children with special needs. This

involvement led to working as an integration aide in a local preschool, which enabled me to meet many of the local parents and gave me an understanding of the local issues facing young families within the electorate of Evelyn. Most were fearful of increasing numbers in class sizes and the education system overall. The legacy of the Kennett government's cutbacks in education led to a growing lack of confidence in the capacity of government schools to deliver the quality education many knew they were capable of. Parents often expressed concern that the schools were continually asked to do more with less resources provided by the government. Shortfalls in funding were expected to be picked up by increased participation by volunteers and fundraising. The focus of schools was directed away from educational leadership to the focus of the corporate and commercial integrity of the school.

The restoration of funding to schools by Labor through successive state budgets has done much to restore the confidence of Victorians in our schools, the leadership of our principals and the professionalism of our teachers.

The legacy of the Bracks Labor government in education is a redirection of attention to where it has always belonged: in the education of our children.

It is only the third time in history that a Labor member has held the seat of Evelyn, the last being in 1982–85. I am very proud to say that I am the first woman Labor member. I would like to acknowledge my predecessor, Christine Fyffe, for her contribution to the people of Evelyn and wish her well with future endeavours.

Evelyn is a rural and metropolitan electorate located north-east of Melbourne. It covers an area of 277 square kilometres. The electorate features the towns of Lilydale, Chirnside Park, Coldstream, Seville, Wandin North, Gruyere, Wonga Park and parts of Mount Evelyn, where I live. There are approximately 35 000 constituents on the electoral roll.

I consider myself lucky to live in a community with such a picturesque natural environment. The electorate encompasses parts of the Yarra Valley, which is known for the production of world-class wine, dairy foods and natural produce.

The electorate of Evelyn has changed considerably with the redistribution of boundaries. Outer eastern towns such as Warburton, Powelltown and Yarra Junction are no longer part of Evelyn. However, we welcome the leafy, rural-urban town of Wonga Park to our electorate.

I would like to acknowledge the original owners of Evelyn and the surrounding districts, the Wurundjeri people. These people were a subtribe of the Yarra Yarra or main Woiwurrung tribe. They were a semi-nomadic tribe who roamed the area in small groups.

The last chief of the Woiwurrung tribe was William Barak. He was born in 1813 at Brushy Creek, a tributary of the Yarra River, and he died at Corranderrk Station in Healesville in August 1903. Barak was a well-known tracker. He was called upon to help the police track down the Kelly gang. He was a dignified, respected leader and was proud of his race. A renowned storyteller, he told tales of Batman and La Trobe, along with tribal stories and legends of his people.

Lilydale is considered the centre of the district. The first settlement was in the late 1830s in the Coldstream area. The first settlers to the area were the Ryrie brothers. They selected land at Yering, where they grew various types of fruit and vegetables and produced wine by 1845. This area is now a well-known winegrowing district in the Yarra Valley producing excellent wine and exporting a wide variety of quality produce to the rest of the world. It also attracts many local, interstate and international visitors to our electorate.

The people of Evelyn value its heritage. Groups such as the Lilydale Museum and the Athenaeum Theatre are to be congratulated on their achievements in preserving our history and enabling us to access information from our past. I thank them for their assistance in researching the history for my district.

Evelyn has excellent education facilities, including the Lilydale campus of Swinburne University and a TAFE institute. The Swinburne Lilydale community is committed to encouraging collaborative links in regional groups. The campus is situated high on the hill overlooking Lilydale Lake. It is a small but vital campus providing valuable education opportunities for the people of Evelyn and the surrounding areas. The campus has nearly 2500 students: 50 per cent come from the local region; 80 per cent are under the age of 25 years; and 50 per cent are women. The university provides employment for over 120 people.

The electorate comprises 24 schools. I have had the pleasure of meeting principals, staff and students at several schools in the electorate, and they are to be commended on their commitment to education and their local communities.

To complement these learning institutions community houses, such as Morrison House in Mount Evelyn, provide excellent education facilities set in a small,

professional and friendly environment. Through Morrison House the Mount Evelyn Township Improvement Committee, METIC as it is known, was formed in 1998. METIC has provided an opportunity for business and community groups in Mount Evelyn to come together and work to develop a shared vision on local issues and projects.

A community link centre received funds from the Bracks government's Federation grant. The centre offers residents the opportunity to tap into the networks and resources of their town. The community spirit generated by these groups is to be commended. Under the Kennett government the local police station was a virtual ghost station with minimal police presence. The local community rallied together with protest marches and community forums seeking to ensure the establishment of an operational police station. I am proud to have been part of this process and can declare that the Mount Evelyn police station is now operational. The Bracks government can be proud of the commitment it has made to improving community safety.

During the campaign the constituents of Evelyn expressed their concerns on many issues in our electorate. One of the main problem areas is roads. There are many congested and unsafe intersections in the district. Currently there are several proposals at Vicroads under review. Also, public transport poses a great deal of anxiety among residents and school students. Outlying suburbs especially feel isolated and vulnerable as there are limited services available to them.

With the increased price in bottled liquefied petroleum gas residents have made me aware of the lack of access to natural gas in parts of the Yarra Valley. The Shire of Yarra Ranges has surveyed residents, and they are mainly in support of this infrastructure being provided.

The shortage of general practitioners and access to acute and emergency care is another concern. With the closure of hospitals in the area the access to out-of-hours medical assistance is of great importance.

The environment is very precious to our community. We should accept responsibility and endeavour to protect it and retain sustainability of our resources. There is also a need to protect our local farmers from the encroachment of urban development.

I will, over the next four years, endeavour to represent my constituents on these and other issues to the best of my ability.

I am looking forward to familiarising myself with all aspects of my community, including industries such as agriculture and horticulture, business groups, volunteer organisations, community service providers, educators and families. It is of great importance to me to be able to present to government these issues of social concern.

I sincerely thank my wonderful husband, Ken, and my children for their love and support through the campaign. Also special thanks to Ashley and Noreen Warren; Julie Warren; Cathy and Greg Sword; Kelly and Warren Delaney; Mark Tunstall; the campaign team, for their experience, guidance and commitment to me; my dear parents, Alex and May Heggen; and the McTaggart family, for believing in and encouraging me to achieve my goals.

In particular I thank Doreen McTaggart, my mother-in-law and a wonderful friend, whose strength, support and belief in the Labor Party have enabled me to reach this place. Through her long and committed association with the Labor Party in the Northern Territory, Doreen took me to the federal Labor Party campaign launch in 1996. I was in awe sitting among leaders such as Gough Whitlam, Bob Hawke, John Cain and Joan Kirner. I was particularly impressed to be in the company of my Labor hero, Paul Keating. These memories will remain with me always.

I would like to thank all the parliamentary staff for their support for me and the other new members as we enter this 55th Parliament of Victoria. I feel very privileged to be here as part of this government and to represent all of the constituents of Evelyn. Thank you.

The ACTING SPEAKER (Mr Ingram) — The honourable member for Hawthorn has the call.

Mr BAILLIEU (Hawthorn) — Thank you, Acting Speaker, and I commence by congratulating you on your position.

I first want to acknowledge the success of the government — —

Mr Ryan — On a point of order if I may, Acting Speaker, I do apologise to the honourable member for Hawthorn. There was an arrangement between the parties. If it is in order for the house and the honourable member would not mind, the honourable member for Shepparton has visitors.

Mr BAILLIEU — I understand. If the honourable member for Shepparton has visitors, I am happy to stand aside.

Mr Ryan — In his usual gracious fashion. I thank him very much.

The ACTING SPEAKER (Mr Ingram) — On the point of order, it seems that that has been suitably worked out. If the house does so desire, the honourable member for Shepparton has the call. As is the custom of this house, as this is an inaugural speech, I ask honourable members to give her due respect and hear this speech without interruption.

Mrs POWELL (Shepparton) — I would firstly like to congratulate the Speaker on her appointment as the first woman to become Speaker in the Parliament of Victoria. I would like to pass on those regards as I myself have the great honour of being the first woman to represent the National Party in the Parliament of Victoria and now have the unique distinction of being the first woman to represent the National Party in both houses of Parliament. I am both honoured and proud to take my place in this chamber to represent the people of the Shepparton district in the Victorian Parliament.

I had the privilege of representing the seat of Shepparton as a former member for North Eastern Province in the upper house from 1996 until the last state election in November 2002. During my time in the upper house I made many lasting friendships throughout the north-eastern area and gained considerable knowledge about our region. I believe I will be able to put that knowledge to good use in the interests of the Shepparton district.

My decision to move from the upper to the lower house was not made lightly, and many people have asked why I took that risk. I hope a summary of my background will make that clear.

My family — my father, my mother, my younger sister Frances and I — emigrated to Australia from Liverpool, England, in 1958. We stayed at the migrant camp in Preston, where my father worked on the Melbourne docks and my mother in the canteen at the migrant camp. As he was a fully qualified dental technician, my father eventually secured a position in Shepparton as a dental technician and relocated his young family there. The Preston migrant hostel has long since gone, but I still have the memories of what it is like to come to a new country with nothing but a desire to seek a better life and a better future in a wonderful new country.

I will be forever grateful that my father chose Shepparton in Victoria to live in. It is a wonderful place and has provided opportunities not only for our family but for hundreds of other migrant families. Today it is a thriving multicultural community with almost 40 per cent of its population comprising people who are of either first or second generation non-English-speaking background. All of these people, like my own family, have been given an opportunity to start a new life in Australia.

It has been my privilege to be part of the Shepparton community, working in our auto electrical business for 17 years, as a councillor for the former Shire of Shepparton and president during the floods in the north-east in 1993 and the amalgamation of councils in 1994. I was appointed a commissioner with the Shire of Campaspe, and in 1996 I was proud to be elected to the Victorian Parliament as a member for North Eastern Province representing the National Party.

Situated approximately 170 kilometres north of Melbourne, Shepparton is known as the solar city because of its above average number of days of sunshine. It is the fourth largest regional city in Victoria and is the economic centre of the rich Goulburn Valley, the food bowl of Australia.

The Shepparton district covers an area of 1802 square kilometres and includes the urban centres of Shepparton, Mooroopna and Tatura and the smaller townships of Dookie, Tallygaroopna, Toolamba, Ardmona and Katandra West. My electorate has a population of 51 800 and has experienced population growth higher than the state average.

Mooroopna, with a population of 6750, is known as the Fruit Salad City from its annual February Fruit Salad Day, at which donated fruit is sold to raise money for local charities.

Tatura, with a population of 3000, is famous for International Dairy Week, the second-largest event of this kind in the world and the largest in the southern hemisphere. It attracts exhibitors, buyers and visitors, not only from all parts of Australia but from many countries right around the world to buy or show top breeds of dairy cows.

Shepparton's clean, green image is very important to the Goulburn Valley, which generates around 25 per cent of the total value of Victoria's agricultural production. The agriculture, manufacturing and transport industries are major employers in my electorate. Dairying is the largest industry across the region and has grown at the rate of about 10 per cent per annum in the last decade. The Goulburn Valley area has developed over the years into the most intensely farmed and productive dairying land in Australia. The major dairy processing and manufacturing companies

in my electorate include Tatura Milk Industries, Dairy Farmers Cooperative of Victoria, Snowbrand Tatura Dairies and Ducat's Foods. Suppliers within the electorate also produce milk for other companies, such as Murray Goulburn, Bonlac Foods Ltd, Nestlé, De Cicco, Jalna Dairy Foods Pty Ltd, Kraft Foods Ltd and Parmalat.

In a normal year the Shepparton electorate, being part of the northern region, produces more than 3 billion litres of milk. I am proud to acknowledge that our dairy farmers are the most efficient in the world.

Tatura Milk Industries is well known for the wide range of dairy products it manufactures. It employs 360 staff and has an annual turnover of $270 million. Snowbrand Australia employs 35 people and has a $20 million investment in its Tatura plant. The company packages infant milk formula, primarily for overseas South-East Asian markets but a small amount is also for the local Australian market.

The Shepparton district is well known as a vibrant fruit-growing region with approximately 4.6 million fruit trees in the region's orchards, and there has been a huge growth in the viticulture and tomato industries as demand has increased. The research institute at Tatura is a world-class facility and Victoria's largest agricultural institute. This institute was vital during a fire blight scare in 1997, providing testing and information to our fruit-growing industry. The institute helps the agricultural industry in my electorate protect its clean, green image.

The Shepparton district is home to some of Australia's largest food processing companies, including SPC Ardmona Ltd, Unilever Australasia and Campbell's Soups. SPC Ardmona employs over 4000 people during the peak processing season. The merger in 2002 of the two companies, SPC and Ardmona, has created a strong Australian-owned food business with annual sales exceeding $450 million and exports to over 50 countries. SPC Ardmona is responsible for one of the largest food donation schemes in Australia, the annual Share A Can Day, which attracts 700 volunteers, and almost everything used on the day is donated. Share A Can Day, since its inception in 1997, has raised over $4 million of produce for organisations such as the Victorian Relief Committee and Foodbank Victoria. This year it hopes to produce $1.25 million worth of product, and the extra $250 000 is intended for distribution to families in regional Australia who have been affected by the drought.

Campbell's Soups opened its modern food processing plant in 1961 at Lemnos just east of Shepparton. It employs approximately 370 full and part-time staff and invests more than $60 million each year into the region. Campbell's produces soups, sauces, juices and, since acquiring Arnott's Australia in 1992, produces Arnott's biscuits and snack foods.

Unilever Australasia at Tatura employs 130 permanent staff with the number increasing to 175 during the season. The factory manufactures wet sauces, including such famous brands as Chicken Tonight, the Five Brothers products and the popular Rosella brands, as well as tomato paste.

To complement our food industry, the transport industry plays a major role. Shepparton is provincial Victoria's largest truck sales and service centre and is recognised widely as the transport hub of regional Australia. There is presently planning for the establishment of a logistics freight centre which will better integrate road and rail transport.

Shepparton is also a major regional business and commercial centre, with more than 400 retail outlets consisting of specialty shops and major chain stores. There are many quality primary, secondary and tertiary education facilities, including the Dookie campus of the University of Melbourne, which specialises in teaching food and agriculture-related courses, and La Trobe University and the Goulburn Ovens Institute of TAFE, which both provide a wide range of academic and practical training courses.

The district is also well served with quality health services, including Goulburn Valley Health, a regional hospital that services a wide area, and the University of Melbourne's department of rural health, which provides training for doctors and health professionals in a rural community in an effort to attract and retain health professionals to country Victoria. One of the main concerns for the area is the fact that none of the doctors in the area bulk bill. This is something that must be addressed to relieve pressure on Goulburn Valley Health's outpatient service.

It is also important for a city to have a cultural identity, and Shepparton has much to offer. The Shepparton Art Gallery is renowned for its art collection and ceramic display. Shepparton has the highest population of Aborigines outside of Melbourne, and their history and collection of artefacts are on display at the Aboriginal Keeping Place.

The recreational and sporting facilities in my electorate are excellent. Ardmona Kids Town situated between Shepparton and Mooroopna is one of the largest outdoor playgrounds in Australia. I would like to pay

tribute to Geoff Allemand, who had the vision for the playground and made it happen.

The Shepparton district is normally a thriving agriculture and agribusiness region generating millions of dollars for the Victorian economy. Tragically, with six years of low rainfall and the water storages at a record low level, we are now facing a one-in-a-hundred year event; the worst drought on record.

The Shepparton irrigation system is vital for the future of my electorate. This season irrigators, who would normally receive 100 per cent of their water entitlement, are now only receiving 53 per cent. The cost of water, at times over $500 a megalitre, combined with the cost of fodder for animals and the lack of fruit pickers for the orchards, is causing great hardship to our farmers and fruit growers. While we acknowledge the support the government has given to some, I was disappointed that the government, when asked by the National Party, would not pay for the water the irrigators would not receive. I urge it to reconsider paying the balance of water not received to Goulburn-Murray Water on behalf of our irrigators.

While this drought has caused considerable hardship for our farmers, the flow-on effect is now hurting our small business. Many are making decisions to retrench staff after their income has been drastically reduced. I urge the government to support small business by speaking to the banks and asking them to assist the small businesses in whichever way they can and not make it harder for small businesses to survive during these tough times.

I also wish to pass on my congratulations to the firefighters and volunteers fighting the fires in the north-east, many coming from the Shepparton district to help.

As the member for Shepparton I look forward to continuing the outstanding service given by my predecessor, Mr Don Kilgour, who has served the Shepparton electorate in this Parliament since 1991. Don was a tireless worker for his community and a much-respected member of this house. I would like to extend my sincere thanks to Don and his wife, Cheryl, for the support and assistance they gave to me, not only during my time as a representative of North Eastern Province in another place but also in my campaign to represent the Shepparton electorate.

I wish to also extend my thanks to an honourable member for North Eastern Province, the Honourable Bill Baxter for the unqualified support, guidance and friendship he gave me during the past six years, particularly when I was first elected. Bill is held in the highest esteem, not only in North Eastern Province but also throughout Victoria.

We do not get elected into this place by ourselves. We need the support of others. I would like thank a number of people who were instrumental in my success. Firstly, my campaign committee, particularly the campaign chairman, Mr David Piper, who worked tirelessly to ensure that I did become the member for Shepparton. I also thank one of my scrutineers and the chairman of the Shepparton electorate branch of the National Party, Mr Bill Bloomfield; Mr Peter Ross-Edwards, a former member for Shepparton and former Leader of the National Party, for his guidance and support over many years; and Mr Peter Ryan, the Leader of the National Party, for his strong support, even while fighting his own election campaign.

I thank Diane Bethell, my electorate officer, who has been with me for the past seven years. I constantly hear compliments about how good my office is to deal with, and that can be attributed to Diane.

To our National Party members and supporters: thank you for your confidence in me.

I give a heartfelt thankyou to my husband, Ian, and our two sons, Corey and Nathan. Ian and I have been married for almost 33 years, and he has always supported and encouraged me in everything I have done. We are a great team. We have been blessed with two wonderful sons, who have always made us proud. They support me wholeheartedly. Corey is a Qantas pilot in Sydney, and Nathan is in the hospitality industry in Darwin and has applied to join the Northern Territory police force.

Finally, I would like to extend my congratulations to all new members and hope they enjoy their time in this place and serve in the best interests of their people. I look forward to serving the people of Victoria and particularly the Shepparton district in this place and hope I do so with integrity, decency, honesty and commitment.

The ACTING SPEAKER (Mr Ingram) — Order! As this is an inaugural speech by the honourable member for Monbulk I remind honourable members that the custom of this house dictates that he be heard without interruption.

Mr MERLINO (Monbulk) — Thank you, Mr Acting Speaker, and congratulations on being appointed to that position. I would appreciate it if you could also pass on my congratulations to the Speaker on

becoming the first female Speaker of the Legislative Assembly.

I would like to begin by acknowledging the traditional owners of the land on which we stand here today, the Kulin nation, and pay my respects to their elders. I would also like to thank the Government Whip for his work in squeezing me in today with my family here.

It is a pleasure to follow the previous two Labor speakers, the honourable members for Bayswater and Evelyn, the two next-door neighbours of my new seat of Monbulk. As the new member for Monbulk I want to acknowledge the previous two longstanding members, Neil Pope, a minister in a previous Labor government who admirably represented the Monbulk electorate between 1982 and 1992, and Steve McArthur who represented the electorate between 1992 and 2002. I wish Steve and his family all the best for the future.

My earliest political memory was the election of the Hawke federal Labor government in 1983. I was 11 at the time. The excitement in the family home at the announcement of the victory was amazing. My Uncle Joe popped open a bottle of champagne and I wondered what all the fuss was about. My interest in politics began at that moment, and it has never ceased.

I grew up, literally, with the Hawke-Keating governments. My hero was Paul Keating. He combined his positive vision for Australia as a confident, independent and mature nation in the region with his skills as a political warrior. After the True Believers victory in 1993 I was sold. At 21 I knew that the Labor movement was to be my life's work and I joined the party. Once I had made my decision I became involved in marginal seat campaigning almost immediately: the pointy end of grassroots politics. It was in those early days that I formed lasting relationships with the Blandthorn family — Ian, Anne and Lizzie — with Greg and Cathy Sword and with Ashley and Noreen Warren and Julie Warren.

After completing a Bachelor of Arts with Honours from Melbourne University and working in a factory for a while, I was fortunate to work as an electorate officer for Jan Wilson, a former Labor member for Dandenong North, something that the honourable member for Lyndhurst and I shared. Together with her husband, Eric, Jan was a stalwart of the community and one of my early mentors. The experience I gained in the interaction with residents and community groups, assisting in solving problems and helping people, gave me the confidence to be more active in my local community in the outer east.

I ran in the first local government elections in 1997 in the aftermath of the Kennett government amalgamations. I was elected to the Shire of Yarra Ranges in 1997 and re-elected in 2000 and was the youngest representative for that period. My six years on council were extremely rewarding and an interesting experience, particularly during my period as deputy mayor. It was a remarkable period not only because of the people I have worked with and for, but also due to the vision and focus of the shire. Yarra Ranges is a progressive council; it has embraced both philosophically and practically the concept of sustainability. Its decision-making and long-term strategies are based on economic, social and environmental considerations.

I want to take this opportunity to publicly thank the Shire of Yarra Ranges, including chief executive officers Eric Howard and currently Rob Hauser, the directors and especially the hardworking and dedicated staff who implemented the vision. I also thank my former councillor colleagues and wish them all the best of luck at the coming elections. I know first hand that when local government works in partnership with residents and community groups the impact that good councils have on local communities is immense. Local government is the closest link to the people. State and federal governments must work in genuine partnership with local government.

Nowhere is this more so than in my electorate of Monbulk. I will endeavour to ensure such partnership relationships in all my undertakings with the Shire of Yarra Ranges, the City of Knox and the City of Maroondah, which are all incorporated in my electorate of Monbulk. Monbulk is very much a reflection of the Shire of Yarra Ranges. Yarra Ranges is an interface council — as we have heard from previous inaugural speakers — one of a small group of councils located in outer metropolitan Melbourne that combine sections of urban development with large tracts of rural farmland. Interface councils also contain areas of highly sensitive environmental values. As such, issues including the right to farm, urban encroachment, environmental protection, water conservation, rural versus metropolitan funding, tourism, the provision of social and health services and fire safety, to name just a few, are particularly important.

I want to take this opportunity to acknowledge and thank the local CFA volunteers who have been fighting fires over the last several weeks. The electorate of Monbulk contains urban areas such as Boronia and The Basin in the City of Knox which still retain bushland characteristics, villages and townships in the Dandenong Ranges — an environmental icon of

Melbourne — and the horticultural and agricultural land in areas such as Monbulk and Sylvan. All of the matters that the shire confronts as an interface council are reflected in my electorate of Monbulk. I bring to this Parliament a deep understanding of these sensitivities and a commitment to all members of my community and to all interface councils.

I have come to this place a believer in community. Not only have I spent the last six years as a councillor with Yarra Ranges, I have also been the chair of the committee of management for a local community house, Morrison House, and been involved in the board of Eastern Regional Libraries, which was also previously involved with the honourable member for Bayswater.

A number of years ago, Morrison House, which services both the electorates of Monbulk and Evelyn, made a strategic decision to add community development to its traditional role of adult education and childcare. In partnership between the shire and the community I worked with Jan Simmons, the CEO of the house, and other community representatives in establishing a township development committee.

Our community development model was based on the Learning Towns concept — linking people with information and providing learning opportunities by understanding your community first through a community audit. Learning communities are healthy communities and successful communities because they seek to understand what the needs are before they act. I have learnt that the most important ingredient in community development is people. If you get a group of people together with a common goal and shared enthusiasm, anything can be achieved.

In 2001 the excellent work of Morrison House was rewarded with an Outstanding Achiever Award in the Adult and Community Education sector. Neighbourhood houses are great sources of support, education and information in our communities. However, by their very nature — as small, local organisations operating on shoestring budgets — the impact and potential of neighbourhood houses is often underestimated. I have five community houses in Monbulk — Selby, Kallista, The Basin, Coonara and Olinda — with Morrison House and Japara just outside the electorate.

Local government and working in the local community is part of my story. Another major part of my life has been the union movement. For the previous three and a half years I have worked as a national industrial officer with the Shop, Distributive and Allied Employees Association, the SDA. Conservative commentators in the Liberal Party take great joy in pointing out the links between Labor parliamentarians and the union movement. My response — if the honourable member for Bass were here I would reiterate it for him — is, 'Point away!'. Rather than feeling discomfort and embarrassment, I am proud of my link to the union movement.

What is at the core of what we do in the union movement? What are the fundamental things that unions do? Unions fight for better terms and conditions for workers; unions protect and represent workers who are subject to abuse, unfair and unsafe practices, and unfair dismissals; unions represent men and women who otherwise would have very little industrial power; and unions together advocate for fundamental improvements to the lives of working families, whether it be the 8-hour day, safety net increases, childcare or maternity leave, or public holiday entitlements.

Take my union, the SDA. Its representation is largely young and predominantly female. Without the SDA retail workers in this country would be fair game. In their agreements the SDA has negotiated superior wage increases compared to awards, improvements in the junior rate structure, and extensions to periods of maternity leave. The SDA has been a key organisation in expanding and maintaining the industry superannuation fund.

My job in the national office was simply to negotiate enterprise agreements with employers, some of whom were fair minded while others made me thankful that there is still an active union movement in Australia. It was a satisfying thing to do because representing working men and women and negotiating for improvements on their behalf was the right thing to do. I have learned much from people like Joe de Bruyn and Ian Blandthorn, and I have left the SDA with a clear message in my head.

Recently Jim Maher, a legend of the SDA and the labour movement, took me aside and gave me a message he has given to many new members before me. 'Do not forget the workers', he told me. I will not forget the workers, Jim, and this government will not forget the workers, either. The recent announcement that Easter Sunday will be a non-working day and the Federal Awards (Uniform Systems) Bill 2002, which seeks to provide a fair safety net of award conditions for nearly half a million employees, are just two examples of this.

The Kennett government devolved responsibility for industrial relations from Victoria, handing it over to the

commonwealth. Like a vindictive child it ensured that hundreds and thousands of employees, as schedule 1A employees, would for years be shut out of the safety net system of award coverage. Only the SDA had the resources and the will to challenge this. The Australian Industrial Relations Commission recently approved the creation of a safety net award covering 17 000 retail employers, despite protracted opposition from the federal government. This precedent-setting achievement restores the rights of schedule 1A employees in the retail industry.

There are many things that I want to achieve as the member for Monbulk. As I stated earlier, the environment is an issue of vital importance in Monbulk. I do not believe you can be an effective representative for Monbulk without being a strong and genuine advocate for protecting and enhancing the environment of this beautiful area. The environment is close to the hearts of most people in my electorate, from children in primary schools to the vigilant members of environment groups such as Save the Dandenongs League and the Upper Yarra and Dandenong Ranges Environment Council.

The green wedge legislation and Melbourne 2030 is a major step forward in ensuring that the Dandenongs, the Yarra Valley and significant green areas throughout metropolitan Melbourne are protected from inappropriate development. The green wedge legislation will provide a much greater level of planning certainty for local communities. Significantly, the aims of the green wedge legislation and Melbourne 2030 are supported by the Shire of Yarra Ranges. As an interface council, it understands that these forms will ensure that farmland remains farmland and that the Dandenongs and the Yarra Valley are protected — not only for the benefit of the environment but for our tourism industry — from Puffing Billy, the villages and townships in the hills, to local wineries, restaurants and b & bs.

I look forward to working with the shire, community groups and local representatives to protect the environment and to promote a sustainable tourism industry.

I am a strong believer in never forgetting where your roots are, what you have experienced and why you are here. I will not forget working as a bricklayer's labourer, shop assistant and factory worker. I will not forget what I have learnt from working for a union, and I will not forget that this is a government of the Labor Party, a party for all Victorians including workers and union members.

The Bracks government continues to support community building in Victoria. Examples of this include the community jobs program, the community building stream and the Community Support Fund and funding through ACFE — Adult Community and Further Education. The establishment of a Department for Victorian Communities is a further positive step forward. The Bracks government understands the true value of people and communities in our society.

I passionately believe in community development, particularly the Learning Towns model. With regard to community houses I will be a strong advocate but I will also be encouraging them to fully explore their capacity for community development. Our society is dependent on vibrant, active and learning communities. Achieve this and you have sustainable communities, nurturing and supporting the members of communities just like families do.

It is to my family that I finally turn. My journey is my family's journey. I am who I am because of my family. My father, Bruno, was born on a tiny island off Sicily called Salina, days after the attack on Pearl Harbour. After a difficult upbringing he migrated to Australia in 1961 as a 19-year-old. As is common with migrants, he worked extremely hard to establish himself in his new home as a bricklayer. He married my mother, Mary, herself a daughter of a migrant Australian, in 1968 and together they had three children.

My father has a profound sense of fairness, a strong work ethic and an interest in politics sparked by the Vietnam war and the dismissal of the Whitlam government. My mother is fiercely loyal and protective. My brother, sister and their spouses and families have always been there for me.

I am blessed to have such a family and would not be here without them. It is family that gives us the strength and confidence to achieve. It is family that in times of tragedy and hardship wraps us in its protective wings.

In closing, Labor ideals of opportunity and fairness, developing local communities and supporting the family is what drives me. I thank my campaign team, branch members and supporters for their fantastic work and commitment, particularly my beleaguered campaign directors, Lizzie Blandthorn and John Raimondo.

Thank you to the people and communities of Monbulk for giving me the opportunity to represent you. It is a responsibility that I take extremely seriously. I hope that in the years ahead I earn the trust that you have placed in me and the Labor Party.

Mr BAILLIEU (Hawthorn) — I begin my response to the Governor's speech by acknowledging the government's success. I wish it well in its conduct and stewardship of the state, but it is a no-excuses government now!

I thank the former Speaker, the Honourable Alex Andrianopoulos. One of the first things I heard when I came to this place was that Alex was a decent man, and at the end of three and a bit years it is my conclusion that he is a decent man. I thank him for his assistance.

I note we are speaking under the new sessional orders and are confined to a 15-minute time limit. We saw last night when the Leader of the National Party addressed the Governor's speech what a sham that will be. In an incredibly compelling speech he proved the point that the 15-minute time limit will be a loss to the Parliament. I invite honourable members to consider what part of his speech they would want to see removed.

I thank the people of Hawthorn for again entrusting me to be their representative. I am humbled by that trust, and I will do my best to earn it. I also thank my staff, Sue, Di and Lizzie, my wife, Robyn, and the kids and my campaign committee, which worked so hard to see us through the campaign.

Address-in-reply debates provide an opportunity for new members to make their inaugural speeches and for others to reflect on the state of Victoria and their electorates, and I want to do just that. Today it is also an opportunity for shadow ministers to reflect on their portfolio responsibilities. Sadly there was precious little in the Governor's speech about ongoing commitments. It bears a remarkable resemblance to the speech in 1999; it seems that not much has changed and not much has been achieved. Nevertheless, the government has set out what it considers is a platform. I will come back to that in a minute.

I put on the record my concerns about a number of issues affecting my electorate of Hawthorn that I wish to see the government address. The first is the closure of the river walking track in Hawthorn, which has received some attention but which has still not been resolved after a number of years. The state government has offered no assistance to deal with the unilateral closure by a property holder of a walking track which has been in existence for more than 60 years, even though it is essentially administered by Melbourne Water. The council has requested assistance, Yarra People, an organisation of some professionalism and astuteness, has requested assistance, and I have requested assistance, but none has been forthcoming from the government. I invite the government to take the opportunity to support the council and Yarra People in the legal action they are currently taking.

I refer to the destruction of Pridmore Park in Hawthorn, which abuts the Yarra River. A premeditated act of violence against the environment occurred during the election campaign, when Melbourne Water, without any notice or consultation, removed more than 200 trees from the Yarra banks of Pridmore Park — oaks, elms, willows, the works — and only afterwards apologised. Melbourne Water recently declared that it now has discovered that the root mass on the Yarra bank is so intense that it cannot plant anything there, and it cannot remove the root mass because the river banks would collapse. It has been an environmental disaster under the stewardship of this government, and we have heard precious little from the minister about it.

I also raise the issue of land tax and many of the other taxes that are operating under the state government. As I said before, the government is taxing the stuffing out of this state. I have had constituents in my office — members on the other side can laugh — in tears on the subject of land tax. I can give an example of a lady who has been in her property for more than 40 years whose state tax bill now exceeds her income by more than 50 per cent, because someone left her the property in a different construction. The land tax is pernicious and it is hurting, and the government needs to address it.

I put on the record the concerns in my electorate about the growth in apartment structures and the growth in traffic. There is growing concern that the atmosphere and the residential character of my electorate, including Hawthorn, Camberwell, Glen Iris and Canterbury, are changing for the worst. I put on the record my concerns about the impact Melbourne 2030 will have on Camberwell Junction and the Camberwell shopping centre. Residential groups are already forming to fight what they see as an inappropriate objective in Melbourne 2030.

I again put on the record my support for Swinburne University of Technology and the Swinburne College of TAFE, which operates so successfully out of the Hawthorn campus and which has been a delight to be part of.

This is a time to reflect on where we are at in Victoria. In my inaugural speech three and a bit years ago I said two or three things that I wish to refer to. First, I wish to focus on the capacity of this state to provide — which is one of our essential objectives. Are we in better shape than we were? Sadly I am of the view that we are not. Our budget position has declined, the forecast is worse,

and the expansion of expenditure without returns has not been in the interests of Victorian taxpayers nor of Victorians. The disastrous list of projects, including the money wasted on projects such as the MCG redevelopment, Seal Rocks and now the studios at Docklands, is testament to the waste that has diminished our capacity to provide in the state.

The second issue I referred to in my maiden speech was our strength to influence. I am sorry to say that our strength to influence our colleague states in terms of the national agenda and the international agenda has been much diminished under the Bracks government. Victoria has declined in its capacity and strength to influence. We are no longer a leading state; we no longer project as a leader state. Where national issues arise it is not Victorian ministers who take the lead. This is a government that has adopted the term 'downshifting' and has focused on the pursuit of the average, which is a masterstroke.

In my maiden speech I also referred to this chamber and the treasure that it is, to its importance and to its architecture. It is probably the pre-eminent historic-registered building in Victoria. As I said at the time, it was designed by Kerr and Knight and is a treasure. I concede that this is my view, but I believe we have trashed a treasure.

Honourable members interjecting.

Mr BAILLIEU — We will be comfortable with the chairs, but what has gone is a piece of Victorian heritage. A registered historic building has been trashed and butchered without any public consultation or viewing of the plans in advance and without any community awareness. That is fine — it is the right of the Parliament to do that — but in my view that is not what should have been done. We have lost the classic rectangular seating of this chamber; we have lost views from the public gallery; we have lost views across the chamber; and Hansard cannot see the chamber completely. There is an enormous loss — and that is just what we can see. It is a great shame. We will all be comfortable, and as I said last night, this will be the norm for new members. But we have destroyed a piece of Victoria's heritage inside four months, with no notice. That is the reality, and I feel embarrassed about it.

It is interesting to note that in my electorate there is a heritage house and the owners of that registered building have pursued modest changes. They have in turn been pursued and prosecuted by the government at the cost of hundreds of thousands of dollars, if not millions, and it has been an extraordinary persecution. The Heritage Council report tabled yesterday celebrates the prosecution of two property owners who did not do the right thing by heritage laws in this state. One of those has suffered a penalty of $100 000 on a personal basis. Here it has been an exercise of double standards, and it is a most unfortunate message to send to those with an interest in heritage and those with an interest in integrity and honesty.

When it comes to integrity and honesty I want to reflect on the last three years, because I have seen enough to persuade me that this government is not one that is comfortable with integrity and honesty. Looking back at the Reeves affair and the way it was handled, not only before it was revealed but afterwards, is a reminder. We have seen endless publicity stunts and camouflage from the government. We have seen deception at the grassroots level. During the election campaign I mentioned the deception over Ashwood College in Burwood, where a decision to sell part of the college was denied in all quarters. That is not the reality. The decision was made, and there is further to come.

I wish to turn also to portfolio issues. In the Governor's speech there is precious little reference to infrastructure. In the previous three years one of the government's boasts was its Infrastructure Planning Council, which took nearly three years to report — it took a while to assemble and then it took forever to report. One might have expected that in the government's agenda reflected in the Governor's speech there would have been reference to the Infrastructure Planning Council's commitments and to some of its recommendations, but there is precious little about those 45 recommendations — for instance, at the top of the list, where is the infrastructure planning advisory council that was the principal recommendation of the IPC?

I was interested in the remarks made by the honourable member for Mordialloc in her maiden speech when she raised the issue of the channel deepening. Channel deepening is probably regarded in business terms in Victoria as one of the most significant decisions to be made over the next three years, but there is no mention of it in the Governor's speech and no mention of it by the government. That is sad. It would seem the honourable member for Mordialloc is opposed to it in advance. We will see, but I would have thought the government would have seen fit to deal with that issue at least.

I want to turn to Melbourne 2030. As I have said before, Melbourne 2030 and its conception depends on the delivery of infrastructure, funding, community

awareness and the support of local councils. A lot of people say, 'Yes, we support it in principle', but I can tell honourable members that everybody is now saying, 'Yes, but we have a lot of problems with the details'. I have had a fascinating time with bureaucrats and stakeholders who say to me, 'Listen, this was just three years in the preparation. It took three years to prepare and the objective was not to offend anybody along the way, get to an election, see if we could get through it and now we will spend three years untangling it and trying not to offend anybody on the way'.

The promised consultation was abandoned, and now there is nothing but a reference in the Governor's speech to a consideration of 'how to implement this plan'. It is extraordinary that the government does not know how to implement its own plan because it never thought it through in the first place. As I said, there are those who are saying about it that it was three years in and it will be three years out. Some have been describing it as just a polite parliamentary plan, and a publicity plan at that. It has started to unravel at the edges, and I think there is a long way to go before we get to the other side of 2030. I wish the government would be more frank and release details. I trust those comments that have been lodged in recent weeks will be made public. I will be interested if they are not.

I conclude by acknowledging the passing from this chamber of many colleagues, a number on our side regrettably, and some on the other side. I have known many of them for a long time. As a party office bearer I assisted many in their election to this place. Many of them I regard as close friends, and I am sorry to see them depart, particularly the classes of 1992, 1996 and 1999.

I congratulate those new members who have come to this house, including on our side of the chamber the honourable member for Bass, the honourable member for Benalla, the honourable member for Swan Hill and the honourable member for Shepparton, who I am sure will represent their electorates extremely well in this chamber. I look forward to working with them and working with you, Acting Speaker.

Debate adjourned on motion of Mr WILSON (Narre Warren South).

Debate adjourned until next day.

OUTWORKERS (IMPROVED PROTECTION) BILL

Second reading

Mr HULLS (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

The Outworkers (Improved Protection) Bill is a key part of the government's commitment to ending the exploitation of clothing outworkers and is a significant step towards a uniform industrial relations system for clothing manufacturers.

The Outworkers (Improved Protection) Bill was an explicit policy commitment at the 2002 election. Accordingly, this government has a clear and unequivocal mandate to introduce, pass and implement this bill.

The Outworkers (Improved Protection) Bill aims to ensure that outworkers in the Victorian clothing industry receive their lawful entitlements and to provide a consistent regulatory regime for the industry across those states where the majority of clothing manufacture is undertaken — namely, Victoria and New South Wales.

The bill implements a number of the recommendations of the Family and Community Development Committee inquiry into the conditions of clothing outworkers in Victoria. The government has provided the Parliament with a considered response to all the recommendations of the committee.

It is difficult to determine how many outworkers there are in Victoria. Estimates vary markedly between 20 000 to 140 000 outworkers. It is estimated that Victoria accounts for approximately 40 per cent of the work undertaken by outworkers across Australia.

Clothing outworkers are typically migrant women. Their ages vary and many come from non-English-speaking backgrounds and have poor English language skills. They find it difficult to find other forms of employment.

Clothing outworkers are among the most vulnerable members of our community. They are often subject to low wages and long hours of work. In many cases, clothing outworkers suffer from chronic underpayment and non-payment of remuneration and poor workplace health and safety practices.

There is no suggestion that all retailers or all clothing manufacturers exploit outworkers or that all outworkers are exploited. However the most recent research into outworkers in Melbourne, conducted by Dr Christina Cregan of the University of Melbourne, indicates that there continues to be significant exploitation of outworkers in Victoria.

Dr Cregan's 2001 study, involving 119 clothing outworkers in Melbourne, found that the average hourly rate of pay amongst these workers was $3.60 per hour and their average weekly wage was only $300 per week. They work 12 hours per day for six to seven days per week.

The majority of the clothing outworkers involved in the study earned only $5 per hour, well below the minimum hourly rate of $11.35 provided for by the Australian Industrial Relations Commission in the Victorian industry sector wage orders.

Eighty percent of the clothing outworkers in the study reported that their wages were not paid on time and nearly 50 per cent reported instances of not being paid at all for work completed.

Dr Cregan's research confirms that clothing outworkers are among the most disadvantaged workers in Victoria.

Both the New South Wales and Queensland governments have implemented strategies to end the exploitation of outworkers. This legislative proposal essentially replicates the provisions relating to outworkers in the NSW legislation, thereby creating a consistent regulatory regime across the two major economies.

The proposals in the Outworkers (Improved Protection) Bill will be supported by an education campaign that will focus on community language media targeted towards the communities in which outworkers and their employers are located. The campaign will provide information to outworkers and their employers on their employment rights and obligations.

The government will also appoint bilingual information services officers. The officers will have an understanding of the particular cultural issues that face many migrant outworkers and will provide direct assistance and advice to outworkers and investigate legislative breaches and assist individuals in undertaking action to recover under and non-payment of wages.

Purpose of the bill

The principal purpose of the bill is to improve the protection for outworkers by ensuring they receive the same entitlements as employees and have access to a simple, low-cost way to recover unpaid wages and remuneration.

It proposes to increase voluntary compliance within the industry and to focus responsibility at the top of the production chain to ensure outworkers receive their lawful entitlements. It will achieve this through establishing principal contractor liability for the payment of outworkers entitlements and the establishment of the Ethical Clothing Trades Council to monitor and foster self-regulatory mechanisms in the industry.

Who does the bill apply to?

The Outworkers (Improved Protection) Bill will provide protection for all clothing outworkers in Victoria.

It will provide all outworkers in Victoria greater employment protection by ensuring they are subject to the same standards as employees in respect of long service leave and occupational health and safety.

It will also improve the protections for those outworkers not covered by a federal award or agreement and provide them with greater power to recover unpaid remuneration.

Clothing outworkers are defined as workers who pack, process or work on articles or material for another person from their home or other premises rather than in a factory.

It will establish an advisory body for retailers, manufacturers, employees and the community for the benefit of the clothing industry.

Outworkers as employees

One of the central issues for outworkers is whether they are employees or independent contractors. The parliamentary inquiry noted that often outworkers are led to believe they are independent contractors when in practice they are actually employees. In such cases an outworker may be called an independent contractor, but the actual practice of the employment relationship is that of employer and employee. The effect of this confusion means that outworkers are denied their employee entitlements.

The nature of work in the clothing industry and the circumstances of the employment of outworkers, indicate that outworkers should be considered as employees, rather than independent contractors.

The bill will define outworkers in Victoria to be employees for the purposes of the Outworkers (Improved Protection) Bill 2003, the Long Service Leave Act 1992, the Occupational Health and Safety Act 1985, the Public Holidays Act 1992 and for the Federal Awards (Uniform System) Bill 2003, almost before Parliament.

This is consistent with both New South Wales and Queensland, where outworkers are deemed to be employees for the purpose of industrial legislation.

By defining outworkers to be employees for the purposes of this industrial legislation, the uncertainty surrounding their employment status will be resolved and it will be clear that outworkers are entitled to all the protections afforded to other employees.

Recovery of payments

Currently outworkers are faced with complex and largely inaccessible mechanisms for recovering unpaid wages and other forms of remuneration. Outworkers are subject to complex enforcement procedures, prohibitive costs when taking action and lack an enforceable employment agreement.

In addition to these problems, complex production chains often make it difficult for outworkers to identify who their employer is.

The Outworkers (Improved Protection) Bill will establish a system for the recovery of unpaid remuneration that is simple to use and low cost.

The recovery of unpaid remuneration system established by the bill will operate in a way that unravels the complex chain of production to reveal those contractors in the chain who bear responsibility for the payment of entitlements to the outworker.

The provisions in this bill will replicate the NSW recovery of unpaid remuneration provisions, ensuring there is consistency across the states.

Under the recovery of unpaid remuneration process, an outworker makes a claim for unpaid remuneration by serving a statutory declaration, with supporting details, on the person that the outworker believes to be their employer. The claim must be served within six months of the completion of the work.

The person served with the claim, known as the apparent employer, may not be the person that the outworker directly deals with. The bill provides that the outworker may serve a claim on the person who they believe is their employer. In practice, this person could be anywhere along the production chain, from the intermediary delivering and collecting work to the principal manufacturer.

Once served with a claim for unpaid wages by an outworker, the apparent employer has 14 days in which they can refer the claim to the actual employer. If the actual employer cannot be identified or does not accept liability within 14 days, the person served with the claim is liable for payment of the outworker's unpaid remuneration.

Where an actual employer has not accepted liability and the apparent employer has paid the outworker for the claim, the bill enables the apparent employer to deduct the amount paid to the outworker from any money that the apparent employer owes to the actual employer. This will ensure fairness in situations where the apparent employer is higher up the production chain than the actual employer.

In the event that a claim for unpaid remuneration is not resolved through this process, recovery will be through the industrial division of the Magistrates Court. In such proceedings an apparent employer will be liable for payment unless they can show that the work was not done or that the amount claimed is incorrect.

The bill establishes an offence where a person uses intimidation to prevent, hinder or discourage an outworker from making a claim for unpaid remuneration. It will also be an offence under the bill to make a false or misleading statement in a referred claim or a notice regarding liability for a referred claim; and to refer a claim to a person where it is not known or there are not reasonable grounds to believe that the person is the actual employer of the outworker. The maximum penalty for these offences will be $12 000.

Principal contractor liability

In addition to establishing a simple, low-cost process for outworkers to recover unpaid wages and remuneration, the Outworkers (Improved Protection) Bill establishes principal contractor liability in order to focus greater responsibility for outworkers' entitlements at the top of the supply chain.

Outworkers currently bear the burden when a contractor in the production chain disappears or refuses to pay an outworker after the work has been completed. There is no mechanism by which an outworker can

pursue unpaid remuneration from a person who is higher up the supply chain than their direct employer.

The principal contractor liability provisions in the bill will enable outworkers in this situation to claim the unpaid remuneration directly from the principal contractor. The provisions are the same as those already operating in NSW.

The principal contractor will be liable for any unpaid wages unless they have a written statement from the contractor that all wages to outworkers have been paid. The principal contractor will be able to withhold any money owed to a contractor until such a statement is provided, without penalty.

The principal contractor is not liable for payment of the outworkers remuneration where the subcontractor is in receivership or in the course of being wound up or, in the case of an individual, is bankrupt and payments made under the contract are made to the receiver, liquidator or trustee in bankruptcy.

Enforcement of a claim for unpaid wages on a principal contractor will also be through the industrial division of the Magistrates Court.

Ethical Clothing Trades Council

A key feature of the Outworkers (Improved Protection) Bill is the establishment of an Ethical Clothing Trades Council of Victoria. This council, modelled on the NSW Ethical Clothing Trades Council, will be the primary means of achieving voluntary compliance within the industry.

The council's chairperson will be a person with relevant knowledge of the clothing industry, and members of the council will include representatives of retailers, manufacturers, employees and the community.

The primary role of the council initially will be to enhance voluntary compliance by the clothing industry as a means of ensuring that outworkers receive their lawful entitlements. If voluntary compliance is unsuccessful then the council will advise the minister on the need for a mandatory code.

The council will enhance voluntary compliance by the industry through facilitating consultation with relevant clothing industry organisations and promoting self-regulatory mechanisms within the industry.

The council will promote industry agreements and codes such as the home workers code of practice, a self-regulatory code that seeks to regulate and monitor the production chain from the retailer to the home worker.

It is welcoming to see the pioneering work being undertaken by the NSW council, which has brokered a landmark agreement between the Australian Retailers Association and the Textile Clothing and Footwear Union of Australia. The Victorian council will be required to consider the work of the NSW council, to further the consistency between NSW and Victoria.

The council will provide quarterly reports on whether outworkers are receiving their lawful entitlements and make recommendations. The council will also report on the activities of the industry with respect to the Homeworkers Code of Practice and other industry agreements.

During the initial 12-month period, the council will evaluate the effectiveness of the actions taken by the industry to improve compliance with the obligation to ensure that outworkers receive their lawful entitlements. At the end of 12 months the council will report its findings to the minister.

After consideration of this report, the minister may make a mandatory code of practice for the industry. A mandatory code would be made if it is determined that the current self-regulatory mechanisms are inadequate to achieve improvements in the level of compliance or that the persons engaged in the clothing industry are not attempting in good faith to negotiate improvements of extensions to those voluntary self-regulatory mechanisms.

If established, the mandatory code may require employers and other persons engaged in the clothing industry to adopt specified standards of conduct and practice with respect to outworkers. Failing to comply with the mandatory code without reasonable excuse will be subject to a maximum penalty of $12 000.

The bill provides that the regulations may provide for an exemption to the operation of the code for specified persons or classes of persons.

It is incumbent on the clothing industry to take responsibility for ensuring that clothing outworkers receive their lawful entitlements and the Ethical Clothing Trades Council will provide them with every opportunity to take relevant action in this regard.

Information services officers

The bill provides for the appointment and powers of information services officers.

The clothing industry is typified by complex contracting practices that may mean that some contractors avoid liability for outworkers' entitlements. The Outworkers (Improved Protection) Bill will assist in reducing the level of exploitation currently experienced by many outworkers by enabling information services officers to effectively determine and facilitate compliance in the clothing industry.

The powers enable an information services officer to enter, without force, any premises where there are reasonable grounds for believing that outwork is being, or has been, performed or there are documents being kept that are relevant for the purpose of determining compliance with relevant industrial legislation.

The bill outlines the manner in which an information services officer should exercise their powers. Entry must be during working hours and an information services officer must cause as little harm and inconvenience as possible.

On entry, an information services officer will be able to inspect work, take samples, interview employees or require the production of documents.

Information services officers are not empowered to enter any part of premises used solely for residential purposes without the informed consent of the occupier.

The bill creates offences for actions that obstruct an information services officer in the exercise of their powers.

Right of entry for authorised union officers

Outworkers are often reluctant to take individual action against their employer for fear of reprisals, so they rely more heavily on the ability of the union to investigate and prosecute employers for breaches of their award.

Under the commonwealth Workplace Relations Act 1996, an industrial officer of a registered organisation has powers to enter premises to hold discussions with employees and to investigate suspected breaches of the award. Unions are then able to prosecute for any breaches of the award that they find.

The Outworkers (Improved Protection) Bill includes provisions similar to the current right of entry powers in the Workplace Relations Act 1996.

The provisions enable authorised union officers to enter during working hours and without force, any premises where outworkers work who are, or are eligible to become, members of the union or premises which are occupied by an employer or contractor bound by a federal award or common-rule order that relates to outwork, for the purpose of investigating a suspected contravention of the act.

After entry, the authorised union officer may make copies of documents that are relevant to the suspected contravention, including time and pay sheets, inspect any work, material or machinery and interview any employees or outworkers who are, or are eligible to become members of the union about the suspected contravention.

Authorised union officers may also, for the purpose of investigating a suspected contravention require an employer or contractor to produce documents for inspection and copying at an agreed place.

Authorised union officers may also enter premises where outworkers work who are, or are eligible to become members of the union, for the purpose of holding discussions during meal times and other breaks.

An authorised union officer is required to show his or her permit prior to entry, if requested to do so. Entry to premises may only occur after the authorised union officer has provided the occupier of the premises 24 hours notice of the intention to do so. The union can apply to the court for an order waiving the requirement to provide notice to an employer.

There is no power for authorised industrial officers to enter any premises used for residential purposes without the permission of the occupier.

The industrial division of the Magistrates Court will issue authority permits on application by the secretary of the union. The bill provides for an employer, registered organisation or an information services officer to apply to the court for the revocation of a union officers permit if the authorised officer intentionally hinders or obstructs an employer, employee or outworker or otherwise acts in an improper manner.

The bill specifies conduct in relation to the powers of authorised union officers that attracts a civil penalty. A court may make an order imposing a penalty on a person who contravenes a penalty provision. The court may order that the penalty be paid into the Consolidated Fund or to a particular registered organisation or person.

The bill provides the textile clothing and footwear union with the power to prosecute an employer for a breach of the act and a common-rule order, to facilitate their ability to ensure that outworkers receive their lawful entitlements.

Review of act

The bill provides for the act to be reviewed by the minister within five years of commencement, or as soon as possible thereafter. The review would determine whether the policy objectives of the act remain valid and whether the terms of the act remain appropriate for securing those objectives. The report of the review will be tabled before both houses of Parliament.

A similar review is to be conducted of the New South Wales legislation by the NSW Minister for Industrial Relations.

Summary

The Outworkers (Improved Protection) Bill will provide overdue protection for some of the most vulnerable workers in Victoria.

It provides outworkers with a simple, low-cost way of recovering unpaid wages and remuneration.

It will empower information services officers to ensure compliance with the provisions in the bill and other relevant industrial legislation.

Importantly, employers in Victoria will face the same regulatory regime as their counterparts in NSW.

The bill will ensure that companies at the top of the production chain take responsibility for ensuring that outworkers receive their lawful entitlements. The Ethical Clothing Trades Council provides the clothing industry with the opportunity to make significant steps towards voluntary compliance.

The Outworkers (Improved Protection) Bill will take significant steps towards ending the exploitation of outworkers by providing them with higher standards of entitlements and afford them improved protection to ensure they receive those entitlements.

This bill creates a uniform system between Victoria and New South Wales, the two states that account for the majority of clothing manufacturing and will be of benefit to those in the industry currently dealing with two vastly different regulatory regimes.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 13 March.

FEDERAL AWARDS (UNIFORM SYSTEM) BILL

Second reading

Mr HULLS (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

The Federal Awards (Uniform System) Bill has been developed after a comprehensive process of consultation with employer groups, unions, employers and employees. The bill is an important step in establishing a truly unitary system of industrial relations in Victoria, and will help restore the balance between the rights of employees and employers that are not covered by federal awards or agreements.

The bill was an explicit policy commitment at the 2002 election. Accordingly, this government has a clear and unequivocal mandate to introduce, pass and implement this bill.

This mandate confirms Victoria's adoption of a more conciliatory approach to industrial relations. Industrial relations should not be promoted as a battleground where parties fight until the last person standing claims all the spoils.

Unfortunately this view underpins the commonwealth's approach to its Workplace Relations Act. Victoria will continue to facilitate a fairer industrial relations approach which favours neither employers nor employees. We do not and will not prejudicially assume one side is always right and the other side always wrong.

The bill represents a key part of this government's commitment to fairness. Since 1996 the gap between conditions enjoyed by those employees protected by federal awards or agreements and those under schedule 1A of the federal Workplace Relations Act 1996 has steadily increased. The bill is designed to remove this artificial gap and ensure that all Victorians are entitled to similar minimum conditions of employment. This is good for employees, and it is good for employers.

In the face of a lack of commitment from the federal government to reform the Workplace Relations Act, and on the recommendation of the independent Industrial Relations Taskforce, the Bracks government introduced the Fair Employment Bill in November 2000. As members will recall, the bill received significant support, not just from unions and community groups but also from employer groups such as the Victorian Automobile Chamber of Commerce,

the Housing Industry Association, the Victorian Road Transport Association and the Master Builders Association of Victoria.

Despite the significant level of support it attracted, that bill was defeated in the Legislative Council.

Subsequently the Federal Awards (Uniform System) Bill 2002 was introduced and passed by the Legislative Assembly. In October 2002 the bill failed to pass the Legislative Council. We now have the mandate to pass this bill.

The bill will ensure that Victoria operates under a unitary system of industrial relations. This attempt to develop a unitary industrial relations system underpinned the 1996 referral of industrial relations powers to the commonwealth, pursuant to the Commonwealth Powers (Industrial Relations) Act 1996.

In 2000 the independent Industrial Relations Taskforce identified over 561 000 employees who were supposedly covered by the Workplace Relations Act but were treated differently from other employees also covered by the act. These 561 000 employees covered by part XV and schedule 1A of the Workplace Relations Act are only entitled to five basic conditions of employment. Award employees, on the other hand, are entitled to a statutory 20 minimum conditions.

The schedule 1A category of employee is a result of the abolition of state awards by the Victorian Parliament in 1992.

The bill will remove the artificial barrier between those covered by awards and those covered by schedule 1A.

The need for a unitary system

As members are aware, in 1996 the Victorian government utilised section 51(37) of the Australian constitution to refer a limited number of industrial relations matters to the commonwealth. This represented the first time any Australian state had referred an industrial relations power to the commonwealth.

In November 1996 Victoria enacted the Commonwealth Powers (Industrial Relations) Act 1996. This act then enabled the commonwealth to legislate to amend the Workplace Relations Act 1996 to include specific provisions relating to Victoria.

At the time the then shadow spokesperson and now Premier, the Honourable Steve Bracks, said:

> The opposition supports in principle the concept of a single national system of industrial relations, and it always has. It can deliver benefits to both employees and employers by creating a uniform national framework for dispute resolution and the application of minimum employment standards that can be more easily complied with and enforced.

Despite the stated intentions behind the legislation, the Commonwealth Powers (Industrial Relations) Act 1996 did not see the establishment of a true unitary industrial relations system. A true unitary system could only exist if all Victorian employers and employees were subject to the same rules, under the federal Workplace Relations Act. This clearly was not brought about by the referral.

What the Commonwealth Powers (Industrial Relations) Act 1996 did was create a hybrid system. Victorian employers and employees, previously subject to the Employee Relations Act 1992, found themselves, from 31 December 1996, subject to a discrete part of the Workplace Relations Act 1996, part XV, as well as schedule 1A.

In its report published September 2000 the independent Industrial Relations Taskforce concluded that:

> In practice and at law, the current system of industrial regulation in Victoria is not the unitary system as has been advocated by some parties. It is true to say, though, that all of Victoria operates under federal industrial law. But there are two completely different systems that operate for Victorian employees and workplaces under this federal law. This has been described as a dual system of industrial relations in Victoria.

Nor is the current system fair to employers and employees. The work of the Industrial Relations Taskforce exposed the disadvantage suffered by schedule 1A employees. Schedule 1A only operates with respect to Victoria and ensures that schedule 1A employees have the worst minimum employment standards of any Australian employee.

Employers too have suffered as a result of the 1996 referral. Schedule 1A employers have been disadvantaged because they lack proper information on their rights and responsibilities under the act.

Federal award and agreement employers have been disadvantaged because they have to compete against employers who may legally offer their employees lesser wages and conditions. That is, a policy premium is placed on the so-called race to the bottom for paying wages and conditions.

In 2000 the independent Industrial Relations Taskforce also found that while Victoria operated under a significantly deregulated labour market after 1992,

there has been no significant increase in jobs growth levels or decrease in unemployment levels compared with the national average or in relation to other states. This runs counter to the unresearched claims by some that the deregulation of Victoria's labour market has somehow given us an advantage over other states.

In 1999 the Australian Labor Party went to the Victorian people with a firm commitment to reform the state's industrial relations system. Our policy stated in part:

> Labor supports a unitary national approach to industrial relations and will make the demand of the Federal government that the Workplace Relations Act is made fair for all workers. This should include the re-establishment of national awards with comprehensive standards.

Purpose of the bill

The main purpose of the bill is to refer to the commonwealth Parliament a further matter relating to industrial relations and to empower the Victorian Civil and Administrative Tribunal (VCAT) to make orders applying federal award conditions as common rules in Victoria.

The bill, in fact, has two stages.

Stage 1 involves a referral of further industrial relations power to the commonwealth so it can legislate to apply federal award standards (the 20 minimum conditions) to Victorian schedule 1A workers.

Stage 2 will be implemented if the commonwealth refuses to legislate to adopt the proposed referred power. It involves federal awards applying on application by common rule, under Victorian legislation. In other words, stage 2 will only be implemented if stage 1 fails due to a lack of cooperation on the part of the commonwealth.

I should take a little time to clearly articulate our government's preferred approach under this legislation. The fairest, easiest and least complex approach is for the commonwealth to accept Victoria's referral of the common-rule power. To do so would confirm the commonwealth wants a true, uniform industrial relations system in Victoria.

It is only if the commonwealth refuses the referral of the common-rule power that the remaining provisions in the legislation will be implemented.

Who does the bill apply to?

The Federal Awards (Uniform System) Bill will apply to persons whose wages and conditions of employment are not covered by an award or agreement under the federal Workplace Relations Act. In other words, the bill will only apply to employers and employees covered by part XV and schedule 1A of the Workplace Relations Act.

There is a tendency, although an erroneous one, to assume that big business is covered by awards or agreements whilst small business is award free.

One hundred and eighty five thousand Victorian businesses with fewer than five employees are already covered by a federal award. This represents over 39 per cent of all businesses of that size. Fifty seven per cent of businesses with between 10 and 19 employees are covered by a federal award, and this rises to 60 per cent if you include those with both federal award and schedule 1A employees. Clearly hundreds of thousands of Victorian small businesses are already covered by a federal award and/or a certified agreement.

The bill will have no direct impact on employers bound by a federal award or certified agreement. It should be noted, however, that the Australian Centre for Industrial Relations Research and Training, which conducted research for the industrial relations taskforce, found that a number of Victorian workplaces continued to operate under a mixture of regulatory regimes. ACIRRT found that 2775 Victorian workplaces were regulated by both federal awards or agreements and schedule 1A. Fourteen per cent of workplaces with 20 to 99 employees had both federal award and schedule 1A coverage. Those workplaces will benefit from this bill, as it will rationalise the industrial relations regimes they are currently subject to.

Also worthy of consideration are the conclusions of the independent industrial relations taskforce, that:

> Victoria has, compared to other states, a disproportionately large low-wage sector. Low-income earners also tend to be concentrated in small workplaces, in certain industries, and in rural and regional parts of the state. The taskforce identified links between this low-wage sector and Victoria's dual system of industrial relations.
>
> Some 356 000 Victorian employees (approximately 21 per cent of the Victorian labour force) rely almost entirely on schedule 1A of the Workplace Relations Act 1996 for their conditions of employment. Schedule 1A employees have limited access to benefits that are standard among federal award employees.
>
> Approximately 235 000 Victorian employees receive only the minimum rates under industry sector orders.

The geographical differences in workplace minimum rates are also pronounced. For instance, in non-metropolitan workplaces 22 per cent of schedule 1A workplaces fall in the under $10.50 wage bracket compared with 8 per cent of workplaces with federal award coverage.

When compared to standards and employment conditions applying under federal awards and in other jurisdictions, employees who rely solely upon schedule 1A of the Workplace Relations Act 1996 receive fewer conditions and entitlements than other employees. For instance:

no personal and carer's leave or bereavement leave;

no entitlement to redundancy;

no entitlement to be paid for hours worked in excess of 38 per week; and

sick leave benefits are prescribed at lower levels in schedule 1A than they are in many federal awards.

Referral of power allowing VCAT to determine common-rule orders

The bill provides that VCAT may make a common-rule order on application by the minister, a registered organisation or a peak body in the relevant industry.

A common-rule order is an order made by VCAT, having the effect of binding all employers and employees in the industry concerned. The order establishes and relates only to minimum terms and conditions of employment. It is not a code on other employment matters. A common-rule order is limited to the 20 allowable matters defined in section 89A of the federal Workplace Relations Act 1996.

VCAT will make a common-rule order in relation to a particular industry if satisfied that there is an award in force, and the award would be binding on an employee if he or she were employed by an employer party to that award. VCAT is also required to determine the most appropriate award to apply, if more than one award covers the particular kind of work, subject to specified conditions.

VCAT may impose a condition, limitation or exception on a term or part of a term of an award in a common-rule order under certain circumstances. These circumstances relate to the term not being relevant to the employer/employee relationship or economic incapacity on the part of the employer.

Where the federal commission varies a term of an award, the common-rule order is varied accordingly with effect from the end of 28 days after the date of effect of the variation of the award. Notification will be generally provided to anyone bound by the common-rule order of a variation by the federal commission of an award.

The party notified may lodge an objection to the proposed variation of the common-rule order under certain circumstances. The variation is not enforceable against the objector until determined by the VCAT.

Information and compliance

There are two arms for compliance under the bill, the provision of information, and in certain circumstances, prosecutions for breach of the legislation.

In its report, the independent industrial relations taskforce identified a lack of information as a serious problem faced by employers and employees covered by schedule 1A. The taskforce report stated:

> The issue of advice and education is important in dealing with schedule 1A workplaces. Employers in this sector are less likely to belong to an employer association at the same time as employees are less likely to belong to a union. It is this group of employers and employees on which the taskforce has had to focus in developing more innovative ways of dealing with employment issues … the needs of schedule 1A employers and employees may well be different to that of many federal award workplaces. For instance, the vast majority of schedule 1A workplaces are categorised as small, the employees are generally less likely to be unionised, and the employers are less likely to belong to an employer association, than is the case in federal award workplaces.
>
> From the public consultations and submissions received by the taskforce it is apparent that a new approach is needed to information and advice in this sector. There was a particular level of dissatisfaction with the current information provided through the Office of Workplace Services (the federal department) by both employers and employees. A different approach is clearly needed to address the individual needs of schedule 1A employers and employees. In summary, information and advisory services are critical to the success of good employment and industrial laws.

In 2001 Industrial Relations Victoria established a Workplace Information Unit. The unit provides educational and information services to schedule 1A employers and employees. However, the bill provides a more comprehensive service.

In 1996, when Victoria referred most of its industrial relations powers to the commonwealth, it also ceded responsibility for providing information and inspectorial services. The Victorian Wage Line service was abolished, and only a limited advisory service relating to long service leave was retained.

The bill provides for the appointment by the secretary of suitably qualified information services officers. Their primary function is to provide information about the operation of the legislation. They also have the function of ensuring compliance with the legislation.

It is important to note that the powers and responsibilities of the information services officers are similar to or no greater than those exercised by members of the federal Department of Employment and Workplace Relations inspectorate.

Right of entry for authorised industrial officers

Schedule 1A employees are often reluctant to take individual action against their employer for fear of reprisals, so they may rely more heavily on the ability of the union to investigate for breaches of their terms and conditions of employment.

In New South Wales and under the commonwealth Workplace Relations Act 1996, an industrial officer of a registered organisation has powers to enter premises to hold discussions with employees and to investigate suspected breaches of the award.

This bill will therefore enable an officer of a registered organisation holding a permit issued under the bill to enter workplaces, without force, during ordinary working hours where a suspected contravention of the bill has occurred or is occurring.

The proposed amendments will serve to make the Federal Awards (Uniform System) Bill more consistent with a unitary system of industrial relations, as union right of entry provisions are contained in the federal Workplace Relations Act 1996. The intention is to replicate provisions in the current Workplace Relations Act, as of today.

Before exercising their power of entry, the authorised officer must provide the employer with 24 hours notice.

There is no power for authorised officers to enter any premises used for residential purposes without the consent of the occupier.

The industrial division of the Magistrates Court will issue permits on application by the registered organisation. A permit-holder is required to produce their authority when exercising powers.

If an authorised officer intentionally hinders or obstructs an employer or employees in their working time or acts in an improper manner in the exercise of their power under the act, the Magistrates Court will be able to consider revocation of the permit.

The bill provides for a civil penalty where an authorised officer intentionally hinders or obstructs an employer or employees in their work or where a person deliberately hinders or obstructs an authorised officer in the exercise of their power or fails to comply with a requirement of an authorised officer in accordance with the act without lawful excuse.

Importantly, a permit-holder may not enter a workplace of less than 20 employees, where the employer holds a certificate of conscientious objection issued in accordance with the federal Workplace Relations Act, and none of the employees is a member of a union. This is consistent with the Workplace Relations Act.

Prosecutions, evidence and recovery of money

The industrial division of the Magistrates Court will hear prosecutions for breaching this legislation. A prosecution for an offence may only be brought by a person authorised by the minister, the secretary of the department or another person in the department authorised by the minister.

An employee who believes that they are owed money may take proceedings to recover money owing in the industrial division of the Magistrates Court. The proceedings must be started within six years after the entitlement arises. The court may charge interest on any money it finds the employee is entitled to.

Summary

The Federal Awards (Uniform System) Bill provides a logical step on the path to a truly unitary industrial relations system. It is important to stress that the bill does not represent the Fair Employment Bill under a different guise. The contrast between the two can not be starker. The Fair Employment Bill sought to establish a new Victorian industrial relations system, operating separately from the federal system.

What this new bill represents is an opportunity for all Victorian employers and employees to operate under a common set of minimum conditions of employment, not the hybrid we have at the moment.

It will mean that a minority of Victorian employees have the same basic entitlements that are enjoyed by the majority, under the federal Workplace Relations Act, legislation that I need not remind you is enacted by the current coalition government.

It will mean that for the first time since 1996, all Victorian employees will have an entitlement to enjoy conditions of employment that are fair and reasonable.

The bill also means that all Victorian employers operate on a level playing field. No longer will some employers be able to undercut others, just by virtue of the fact they are bound by a different section of the Workplace Relations Act. This will help ensure business confidence by providing consistent terms and conditions.

This bill represents the best opportunity this state has ever had to provide a fair unitary system of industrial relations in Victoria.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 13 March.

COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL

Second reading

Mr THWAITES (Minister for Environment) — I move:

That this bill be now read a second time.

In the lead-up to the recent state election the government reaffirmed its strong commitment to the environment and sustainability. The sustainable state policy outlines the government's forward plan for developing Victoria as a world leader in environmental sustainability by promoting changes to the way that we use energy, water and other resources central to modern lifestyles.

As part of this plan the government committed to reintroducing landmark legislation, that was passed by this house in the government's first term, to establish a Commissioner for Environmental Sustainability.

This bill to establish a Commissioner for Environmental Sustainability therefore fulfils a major sustainability policy commitment of this government.

The bill is a clear demonstration of the government's commitment to promoting and implementing ecologically sustainable development to ensure that the total quality of life can be improved for current and future Victorians. Importantly, through this bill, the government will enshrine in legislation the nationally agreed definition of ecologically sustainable development as set out in the 1992 national strategy for ecologically sustainable development.

Establishment of the Commissioner for Environmental Sustainability further builds on the government's commitment to promoting ecologically sustainable development, as the office will be a valuable source of advice to state and local government, industry and the community on environmental sustainability matters.

Through state of environment reporting, a key role to be undertaken by the commissioner, Victorians will be kept informed about the health of their environment and whether through the combined actions of government, industry and the community environmental gains are being made.

The government recognises that the business sector is paying more attention to its performance in meeting the broader economic, social and environmental objectives, or triple bottom line, not just its financial performance.

The government is requiring its departments to have an increased focus on triple bottom line objectives, particularly in the management of their own resources. Getting this balance right is one of the important criteria for good government in Victoria. As part of this increased focus by departments on the triple bottom line, they will be required to implement an environmental management system and report annually on their environmental performance.

Through annual strategic auditing of agency environment management systems the commissioner will keep the community informed about the rate of the government's progress in improving the environmental performance of its work sites, and how the environmental management systems compare with international best practice approaches and targets.

The recently established Department of Sustainability and Environment now has the primary responsibility for conducting public education programs that promote ecologically sustainable development and also to encourage the promotion and adoption of ecologically sustainable development practices. The commissioner will have an important role in auditing the effectiveness of these public education programs in relation to ecologically sustainable development.

The state of environment, environment management system performance auditing and public education auditing roles are further examples of the government implementing its commitment to being open and transparent and keeping the community informed.

I will now turn to the particulars of the bill.

Part 1 of the bill is where the definition of ecologically sustainable development has been enshrined. Until this

time, no other Victorian legislation has incorporated the principles of ecologically sustainable development that were agreed by the commonwealth and all state and territory governments in 1992 under the National Strategy for Ecologically Sustainable Development.

Part 2 of the bill establishes the Commissioner for Environmental Sustainability and the Office of the Commissioner. The objectives, functions, powers and accountabilities of the commissioner are also set out in this part.

The Governor in Council will appoint the commissioner for a term of up to five years. The commissioner will also be eligible for reappointment, as set out in clause 6. The commissioner may only be removed from office if there is a failure to carry out the duties of the office or if the commissioner demonstrates inefficiency or misbehaviour in carrying out those duties. If the commissioner is removed from office, the responsible minister must lay a statement of the grounds for the removal in both houses of Parliament.

Clause 7 highlights the four objectives of the commissioner. These are to report on matters relating to the condition of the natural environment in Victoria; to encourage decision making that facilitates ecologically sustainable development; to enhance knowledge and understanding of issues relating to ecologically sustainable development; and to encourage sound environmental practices to be adopted by state and local governments.

The commissioner has three key functions to undertake in delivering on its objectives. As set out in clause 8, the commissioner is to prepare a report on the state of the Victorian environment and conduct annual strategic audits of the implementation of environmental management systems by agencies and public authorities. The commissioner will also audit public education programs that promote the adoption of ecologically sustainable development practices and principles and provide advice to the minister on their effectiveness.

As the functions of the commissioner are proactive and facilitative, the commissioner will not require powers to enter premises and seize information. It will be important that agencies and public authorities support the commissioner in the provision of information. In this respect, clause 9 provides for the commissioner to make formal requests to agency and public authority heads for information required to undertake the functions as set out in the bill.

The commissioner will also be able to establish a reference group to provide advice on the undertaking of its functions and may also appoint committees to provide advice on specific matters.

In carrying out its functions the commissioner must have regard to a set of principles including the need to integrate economic, environmental and social considerations, the need to add value, the need to develop solutions and achieve improvement, and the need to be impartial, open, transparent and accountable. These principles in clause 10 are strong principles that the government is promoting in all that it does.

This clause also sets out a process by which the responsible minister may give specific directions to the commissioner. It is envisaged that the commissioner could be asked to investigate and report on specific matters that relate to ecologically sustainable development. Given that this investigatory role is not a core function of the commissioner, it is considered that it will be used sparingly. Where specific directions are given, the responsible minister must also table the directions in both houses of Parliament. This will ensure that any directions are transparent.

The commissioner will be able to appoint its own staff under clause 12 and engage consultants as necessary under clause 13.

Part 3 of the bill refers to the reports that the commissioner is required to prepare as part of meeting the functions set out in the bill.

One of the first roles that the commissioner will need to undertake once appointed will be to develop a framework for state of environment reporting in Victoria. In developing this framework the commissioner will consult extensively with state and local government, industry and the community. It is expected that the framework will identify the form and frequency of the reports and a mechanism for review of the framework.

As set out in clause 17, the framework is to be approved by the responsible minister. Once approved the responsible minister has 10 sitting days to table a copy of the framework in both houses of Parliament. A state of environment report must be prepared by the commissioner at least once every five years or more frequently if determined in the state of environment reporting framework.

The minister is required to table state of environment reports in both houses of Parliament within 10 sitting days of receiving reports. The minister then has 12 months to respond in Parliament to

recommendations, if any, that are made in the state of environment report.

Clause 18 sets out the requirements for preparing reports on the implementation of environment management systems by agencies and public authorities. This will include an analysis of the progress of agencies and public authorities in meeting objectives and targets for implementation. In the first instance only agencies will be mandated to report on their implementation in their annual report. However, given that there are a number of public authorities that have voluntarily implemented environment management systems, the commissioner will also be able to comment on their progress as well.

The responsible minister is required to table the report on environmental management systems in both houses of Parliament within 10 sitting days of receiving the report.

To ensure that the public has easy access to directions given to the commissioner by the responsible minister and the reports prepared under the bill, the commissioner is required to publish them on the Internet.

In conclusion, this bill is evidence of the government's commitment to facilitate a greater understanding, across all sections of the community, of ecologically sustainable development and to promoting the adoption of practices that encompass this approach.

An important aspect to Victorians taking this approach and encouraging others to follow is through the greater provision of relevant information such as the state of environment reports. The government is also prepared to lead by example by implementing environmental management systems and opening up its reporting on implementation to the scrutiny of the commissioner.

I commend the bill to the house.

Debate adjourned on motion of Mr PLOWMAN (Benambra).

Debate adjourned until Thursday, 13 March.

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 adoption or maternity leave. The exemption applies to all wages paid to employed women taking maternity leave, up to a maximum of 14 weeks. The exemption also includes adoption leave for a period of up to 14 weeks, available to both women and men.

Honourable members will recall a bill was introduced into Parliament in 2002 containing these measures but lapsed when the state Parliament was prorogued prior to the election. Reintroduction of this proposal early in 2003 is in accordance with this government's commitment to ensure reform in this area.

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, which outlines 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 to support the introduction by the commonwealth of a national scheme, and it shows that we will do our part by providing Victorian employers with a significant 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, this leave can be taken before or after the birth or adoption of the child or in periods before or after the birth or adoption.

The bill provides that the exemption is available in respect of maternity and adoption leave paid from 1 January 2003. This is consistent with the government's commitment in 2002 to introduce the exemption from 1 January 2003.

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. The exemption also excludes sick leave and recreation leave.

Employers who claim the exemption in relation to maternity leave must obtain a medical certificate or statutory declaration in relation to the pregnancy of the employee or birth of the child. 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 CLARK (Box Hill).

Debate adjourned until Thursday, 13 March.

RETAIL LEASES BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The Bracks Labor government came to office in 1999 with a commitment to overhaul Victoria's retail tenancy legislation. Today we are delivering on this promise.

The purpose of the bill is to establish a new regulatory framework for retail tenancies that promotes greater certainty, fairness and clarity in the commercial relationship between landlords and tenants of retail premises.

Before detailing the key elements of the bill, I wish to briefly outline the broader context within which the legislation has been developed.

Retailing is a vital part of the Victorian economy. The industry is comprised of over 30 000 retailers, which are mostly small businesses. It employs over 330 000 Victorians, half of whom are young people. Victoria has a diverse and vibrant retail industry, ranging from world-class shopping centres to specialist outlets in laneways. The strong presence of small businesses in the industry underpins Melbourne's reputation as the shopping capital of Australia. With most retailers choosing to lease a premises rather than buy a shop, the rent payable and other terms of a lease have a major impact on a tenant's business.

The government first came to office with a commitment to conduct a comprehensive review of Victoria's retail tenancy laws to better protect small and medium-size retail tenants by abolishing the 1000-square-metre rule, ensuring more effective disclosure statements, providing reasonable security of tenure and introducing a low-cost and responsive dispute resolution mechanism.

When the Retail Leases Bill 2002 lapsed with the calling of the election last year, the government made a commitment to immediately reintroduce the bill upon the return of Parliament.

The bill delivers on the government's commitments in full.

The government has listened, and now we are acting.

The review consulted extensively with the industry. It released an issues paper and discussion paper for comment, conducted a series of public forums and industry workshops and released an exposure draft of the proposed legislation.

May I take this opportunity to thank those people who contributed to the development of the bill by making submissions to the review or attending meetings. The feedback from these consultations has been critical to ensuring the government has developed legislation that represents a fair balance between the interests of tenants and landlords and is also legally sound.

If all parties to a lease adopted good and fair business practices, there would be little need for the regulation of retail tenancies. Unfortunately, this is not always the case. Governments across Australia have recognised this and have introduced retail tenancies legislation that establishes minimum requirements to promote fair outcomes. This legislation is intended to encourage an environment of fairness, so that landlords and tenants mutually benefit. The government has legislated to ensure that a party does not unfairly take advantage of its superior information and negotiating power to the detriment of the other party.

One of the key issues to emerge from the industry consultations is the need for improved education of

both tenants and landlords on the implications of a lease before it is entered into, to help prevent disputes arising during the term of the lease. The industry also emphasised the importance of seeking to resolve disputes in an informal, timely and cost-effective manner.

The Small Business Commissioner, which is being established under its own legislation, will address these needs.

The commissioner will have the power to arrange mediation between disputing parties to avoid formal legal action proceeding, undertake education campaigns and, if necessary, run test cases. The role of the commissioner is pivotal to the government's overall strategy of promoting a competitive and fair environment for small businesses.

The bill represents best practice retail tenancies legislation in Australia and harmonises laws by adopting a number of sensible provisions from other states.

I now turn to the key elements of the bill.

Certainty and clarity

The bill introduces major improvements to how the coverage of the legislation is determined, so that small and medium-size tenants are not unfairly excluded. As promised by the government, the 1000-square-metre rule — a provision that is unfair and creates legal uncertainty — has been abolished. The review assessed a range of alternatives and concluded that a prescribed threshold is a fairer means of determining coverage. The figure will be determined following final consultations with the industry.

The current provision that excludes public corporations works against small businesses that operate under a company structure. The bill introduces a more readily identifiable means of distinguishing between small and large companies by excluding listed corporations and their subsidiaries. The bill also corrects an anomaly in the current legislation whereby a franchisee who is a party to a lease is not protected if the franchisor also happens to be the landlord. These changes deliver on the government's commitment to ensuring that the public corporations and franchise provisions of the legislation do not unfairly exclude small and medium-size tenants.

The bill also provides greater protection for tenants who are on short-term leases, as they will be covered once the tenant has continuously been in possession for one year. This ensures that schemes such as 364-day leases that are continually revised will be covered by the legislation. The bill maintains existing provisions regarding the type of retail activity that is covered by the legislation.

The government considers that the most effective way of minimising retail tenancy disputes is to ensure that the parties have sufficient information to make a sound business decision about entering into and renewing a lease.

The bill includes improved provisions that require the landlord to give the tenant a disclosure statement at least seven days before entering into the lease. Tough penalties will apply where a landlord fails to give a disclosure statement or provides one that is misleading, false or incomplete. The content of disclosure statements is to be prescribed by regulation and will include the improvements suggested by the industry during the course of the review. Notification requirements in regards to a tenant's option to renew are enhanced.

A major obstacle to informing landlords and tenants of their rights and obligations under retail tenancies legislation is that there is no systematic means by which to contact them. All jurisdictions except Victoria require leases to be registered. While the government has chosen to minimise the compliance burden on business by not adopting the interstate model of registering leases, the bill does require the landlord to notify the Small Business Commissioner of basic contact details of the parties to the lease within 14 days. This is a negligible impost on landlords, but the details will be invaluable for the commissioner to ensure that all landlords and tenants covered by the legislation have access to relevant retail tenancy information.

Fairness

The bill delivers on the government's commitment to deliver reasonable security of tenure for tenants. It provides that all tenants, not just first-time tenants as is currently the case, have a right to a five-year term. This reform brings Victoria into line with interstate regimes and is an important improvement in a tenant's security of tenure. However, this provision does not apply where a tenant seeks a shorter term and has been informed by the Small Business Commissioner about the implications of waiving their right to a five-year term.

A major initiative in the bill is the drawing down of unconscionable conduct provisions. The bill includes a non-exhaustive list of matters, based on section 51AC of the Trade Practices Act 1974, that may be taken into

account in determining whether a party has acted unconscionably. To ensure that these provisions are made relevant to the landlord-tenant relationship, the bill also includes additional factors that may be taken into account. These relate to rent negotiations, use of turnover information and fit out costs. It is not the intention of the bill to broaden the concept of unconscionable conduct, but rather to ensure that there is greater clarity as to how it may relate to retail tenancies. The unconscionable conduct provisions should encourage a cultural change and the adoption of good business practices. It gives tenants greater security, without imposing prescriptive requirements on landlords.

Certain actions by a landlord in managing the building can have a significant adverse effect on a tenant's business. The bill strengthens the current provisions relating to relocation of a tenant's business and introduces new protections to deal with alterations, refurbishments, demolition and damaged premises. Depending on the circumstances, the tenant may be entitled to reasonable compensation, a right to terminate the lease or an entitlement to be offered a new lease on the same terms and conditions. These reforms provide significant improvements in security to tenants during the term of the lease.

The bill contains important improvements in regards to the conduct of rent reviews. Under the current legislation, it is possible for landlords to purposefully delay the timing of a rent review in the expectation of a more favourable outcome. The bill addresses this unfair practice by providing that rent reviews are to take place as early as practicable within the time provided by the lease. If the landlord has not initiated the review within 90 days after the end of that time, the tenant may initiate the review.

Furthermore, where a specialist retail valuer has been appointed to determine a valuation of current market rent, the landlord is obliged to supply relevant information to the valuer. Penalties apply if the landlord fails to do so.

The bill also ensures that tenants are treated fairly in regards to outgoings. Landlords can currently pass on their land tax liability to the tenant as part of outgoings. However, land tax is an expense that bears little relation to the tenant's activities. In light of this, the bill provides that a provision in a new or renewed lease is void to the extent that it makes the tenant liable to pay land tax. In regards to existing leases, the bill ensures that tenants have a reasonable time to budget for land tax payments by requiring the landlord to give written notice to the tenant of the liability within 21 days of receiving the assessment notice. The bill also gives tenants more certainty regarding management fees in shopping centres by generally limiting increases during the term of the lease to no more than CPI.

The new legislative framework will apply to new leases and renewals of existing leases. However, the bill ensures that tenants on old leases are not left behind and benefit from the government's reforms. The Retail Tenancies Act 1986 and Retail Tenancies Reform Act 1998 are amended to ensure consistency with procedural requirements under the bill. These provisions relate to matters such as the confidential use of turnover information, outgoings statements and notices for upcoming renewals and options.

The bill also extends the jurisdiction of the Victorian Civil and Administrative Tribunal to enable it to hear and determine disputes arising under or in relation to retail premises leases, whether or not those disputes arose under leases subject to the common law, the 1986 act, the 1998 act or the bill. This is of significant importance to tenants under pre-1998 leases, who currently cannot have disputes heard by VCAT.

Dispute resolution

The bill establishes the functions of the Small Business Commissioner in relation to retail tenancy issues. The Commissioner will have the power to investigate complaints, mediate retail tenancy disputes and undertake a range of other statutory functions. A dispute must first be referred for mediation before being the subject of proceedings before VCAT. Interstate experience suggests that this model will be effective in resolving disputes and therefore avoid the need for formal legal proceedings.

Furthermore, a tenant seeking relief against forfeiture must currently make an application to the Supreme Court. This imposes a significant cost burden on small tenants. The bill rectifies this situation by investing VCAT with concurrent jurisdiction in relation to relief against forfeiture, so that a tenant can choose to apply to either the Supreme Court or VCAT.

Section 85 statement

I wish to make a statement of the reasons why it is the intention of the bill to alter or vary section 85 of the Constitution Act 1975.

Clause 98 of the bill states that it is the intention of section 89(4) to alter or vary section 85 of the Constitution Act 1975.

Section 89(4) restricts the jurisdiction of the Supreme Court in regard to retail tenancy disputes so that disputes (with some exceptions) can generally only be justiciable before the Victorian Civil and Administrative Tribunal. This ensures that parties in dispute have access to a low-cost and timely forum to resolve disputes. A similar provision applies in the 1998 act.

In conclusion, the bill is a major reform package that delivers on the government's commitment to bring greater certainty, fairness and clarity to Victoria's retail tenancy legislation.

I commend the bill to the house.

Ms ASHER (Brighton) (*By leave*) — Just prior to moving that debate be adjourned, I ask the Treasurer whether the handwritten alterations to the bill at clause 99 on page 87 have been authorised by government, and if in fact they have been authorised by government, when members and indeed the public will get clean copies of the bill?

Mr BRUMBY (Treasurer) — I thank the honourable member for Brighton for the opportunity to clarify the matter. Instruction was provided to the Clerk this afternoon from parliamentary counsel that on line 2 of section 99(1)(a) of the bill the '20' should be '26', so it should read 'sections 17, 26 and 61'. That instruction was relayed from parliamentary counsel to the Clerk, and the copies distributed have been amended by hand. The answer to the question raised by the honourable member is, yes, the handwritten annotation is part of the bill.

Ms ASHER (Brighton) (*By leave*) — Can I inquire as to when members of this house, and indeed members of the public, will in fact be provided with clean and accurate copies of the bill?

Mr BRUMBY (Treasurer) — I am advised that the clean bill will be made available as soon as it is reprinted, and I would anticipate that that will of course be before the debate on the second reading and before the response of the honourable member for Brighton.

Dr NAPTHINE (South-West Coast) (*By leave*) — I seek an assurance from the Treasurer that the correction will also be made to any electronic copies of the bill which would be currently posted following the second-reading speech.

Mr BRUMBY (Treasurer) — I thank the honourable member, and again I am advised by the Clerk that that will occur.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 13 March.

SMALL BUSINESS COMMISSIONER BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The purpose of the bill is to establish the office of the Small Business Commissioner.

It is with great pride that I introduce this bill into the house, because it is a testament to the Bracks government's commitment to small business. It delivers on a major commitment contained in the government's small business election policy, *Growing Small Business: Getting on with the Job*.

The Small Business Commissioner is an Australian first. With the passage of this bill, Victoria's small and medium businesses will have ongoing protection from being taken advantage of due to their size.

The activities of the Small Business Commissioner will be integral to building a business environment that promotes competitive, innovative and vibrant Victorian small businesses.

The Bracks government recognises the critical contribution of small business to the Victorian economy. There are over 270 000 small businesses in Victoria, which comprise 95 per cent of all businesses. Small businesses in Victoria employ a total of 811 000 people, which represents 43 per cent of the private sector work force.

A supportive business and regulatory environment is essential to encouraging small businesses to invest and create more jobs.

The government has listened to the concerns of many small businesses about the difficulties of competing in a market in the face of unfair conduct by their major competitors.

We recognise the need for a central point where small business concerns about unfair market practices can be addressed in a timely and low-cost manner.

We have listened to the concerns of retailers regarding retail leasing matters and have introduced a new regulatory framework that promotes certainty and

fairness in the relationship between tenants and landlords.

We understand the frustrations of small businesses when dealing with a bureaucracy that does not appear to be responsive to their needs. Small businesses should be able to expect a similarly high level of service from government agencies as businesses provide to their customers.

The Bracks government has listened to small business and is acting to address their needs.

The bill establishes a Small Business Commissioner, who will be dedicated to promoting a fair and competitive market environment for small business.

The Small Business Commissioner will encourage the fair treatment of small business in the marketplace, promote informed decision making by small business to minimise disputes, investigate complaints about unfair market practices by other businesses and promote initiatives that ensure that small businesses receive high-quality service from government agencies.

The Small Business Commissioner will have the power to investigate breaches of industry codes of conduct that deal with small business concerns. For instance, the bill provides that the Small Business Commissioner will have the power to investigate breaches of the liquor code of conduct, which is currently being developed.

The bill provides the Small Business Commissioner with the power to intervene in proceedings under section 8A of the Fair Trading Act 1999, which relates to unconscionable conduct in business transactions. This enables the Small Business Commissioner to run test cases in support of a small business that has been the subject of grossly unfair conduct by another business.

The Small Business Commissioner will oversee the introduction and monitoring of small business service charters in all government departments.

The functions of the Small Business Commissioner will include ensuring that any proposal to introduce new regulations takes into full account its impact on small and medium-size businesses.

Monitoring small business access to government procurement processes will be another function of the Small Business Commissioner.

To ensure the integrity of the position, the Small Business Commissioner will be a statutory officer appointed by the Governor in Council and will report to the minister on the impact that unfair market practices and government regulation is having on small business.

The Small Business Commissioner is required to submit a report to the minister annually and that report must also be tabled in Parliament.

The Small Business Commissioner will be resourced with officers from the Department of Innovation, Industry and Regional Development.

In conclusion, the bill is proof that the Bracks government is delivering on its commitment to promote a competitive and fair environment that helps Victorian small businesses to prosper.

I commend the bill to the house.

Debate adjourned on motion of Ms ASHER (Brighton).

Debate adjourned until Thursday, 13 March.

HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

Societies around the world are grappling with the speed of research developments and new technologies that are emerging. The discovery of new technologies poses questions about what should be allowed, what should not be allowed and what could be achieved if the technologies were developed. The potential to alleviate significant human pain and suffering is great. However, we also need to closely consider the mechanisms and safeguards that would allow this research to progress.

This bill is about providing an opportunity to explore the potential benefits of advanced research using embryos that would have been destroyed. The bill also ensures that the application of this research strictly prohibits human cloning and other unacceptable practices.

Victoria has been a leader in the field of regulation of assisted reproductive technology (ART) and the related field of embryo research, with the passage of the Infertility (Medical Procedures) Act in 1984, followed by the Infertility Treatment Act in 1995.

Victoria's research and scientific community also leads the way in the field of stem cell research. This has been recognised by the commonwealth government in their recent affirmation of funding for the first national biotechnology centre of excellence — the National Stem Cell Centre — here in Victoria. The commonwealth government has committed over $43 million over five years. The Victorian government has also invested significantly in medical research infrastructure funding and in the biotechnology field.

One of the greatest potential applications of embryonic stem cell research is the generation of cells and tissues for therapeutic purposes. This may lead to the replacement of diseased or damaged tissue in a range of conditions, which may include Parkinson's disease, diabetes, liver and other organ failure, a variety of cancers, spinal cord injury and genetic conditions such as cystic fibrosis. These potential benefits will take some time to be realised.

The challenge for government is to find a way to provide legislative parameters that will guide the work of the biotechnology field which is rapidly changing and developing.

Following our history of leadership, Victoria has now become part of a commitment to implement nationally consistent legislation to prohibit human reproductive cloning and regulate assisted reproductive technology and related emerging human technologies. This commitment was made at the Council of Australian Governments in April last year.

The decision of the Council of Australian Governments requires legislation to be passed by the commonwealth and all Australian states and territories. The commonwealth government has now passed the Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002.

The Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill is Victoria's contribution to that national scheme. The bill will provide all Victorians with the reassurance that reproductive cloning cannot happen in Victoria. It will also provide reassurance that there is strict regulation of, and adequate public scrutiny of, permitted research on excess embryos that were produced for the purpose of infertility treatment.

It is important for Victoria to go forward with the introduction of this bill which will allow research that has such enormous potential benefit to proceed. Two years of consultation across Australia has contributed to the recommendations that have informed the development of this bill. It is time for the Victorian Parliament to consider this issue in order to ensure that a decision can be reached to allow Victoria to make a significant contribution to embryonic stem cell research.

The major elements of the bill are:

Creation of embryos

Embryos can only be created to treat a woman undergoing infertility treatment. This bill prohibits the creation of embryos for research purposes.

Any fear that there will be a commercial incentive to create more embryos than a particular woman needs for infertility treatment purposes is therefore without substance.

Diagnostic investigations and non-destructive research on embryos

Currently in Victoria only non-destructive research on embryos is permitted. The infertility treatment authority regulates this research and can only approve research that does not harm the embryo.

This bill allows IVF clinics to undertake diagnostic investigations on embryos deemed unsuitable for transplantation provided that the investigations are for the treatment of a particular woman for whom the embryo was created.

Such investigations may assist to identify reasons why pregnancy is not achieved or maintained and may therefore increase the effectiveness of IVF treatment.

Research involving excess embryos

In Victoria embryos created for a woman are kept in storage until such a time as they are no longer required by her and her partner (if any). At present the maximum period of storage is five years, unless a longer period is authorised by the infertility treatment authority. At that time the woman (or couple) can choose to donate those embryos to another woman or to take the embryos out of storage and allow them to succumb. This bill creates another option — donation to research.

The bill permits destructive research on excess IVF embryos. This is a major decision that has been informed by more than two years of consultation at both commonwealth and state levels. The choice facing us is to simply discard these excess embryos or to allow the use of some of them for potential good. There is a responsibility to sufferers of conditions such as diabetes, spinal cord injury and Parkinson's disease to

at least explore the potential benefits that may be derived from embryos that would be destroyed anyway.

Although there is promising research work on adult stem cells for some of these conditions, the consensus of the scientific community is that research involving both embryonic and adult stem cells should proceed.

Once defined as 'excess', the woman (or couple) is able to consent to the embryo being used in research. Destructive research will only be permitted on embryos already existing at 5 April 2002. This is another safeguard to preclude the formation of embryos specifically for research.

Consent

The proposed bill requires the consent of all individuals who contributed to the creation of the embryo and the woman or couple for whom the embryo was made. These consent requirements have been documented in national guidelines — *Ethical Guidelines on Assisted Reproductive Technology.* These require that the consent of donor gamete providers and their spouses (if any) be obtained before an excess embryo may be used for research.

Consent has always been central to IVF practice in Victoria. The consent requirements of this bill add further requirements that will ensure all people contributing to the creation of the embryo give permission to it being used in research. For the majority of embryos this will mean the consent of the couple undergoing treatment. It may also involve a donor of sperm or eggs and their spouse (if any).

Embryo research licensing committee

All research on excess embryos will be regulated by the National Health and Medical Research Council (NHMRC) embryo research licensing committee. This national committee will be responsible for issuing licences to conduct research and reporting to Parliament and the Australian public.

The complex task of issuing a licence to conduct research on embryos will be governed by the following requirements:

> the woman for whom each embryo was formed and her partner (if any) at the time the embryo was created have determined the embryo to be excess to their needs;
>
> that each responsible person in relation to each embryo has given proper consent to the donation of the embryo;
>
> that the activity or project proposed has been assessed and approved by a properly constituted Human Research Ethics Committee (HREC);
>
> that the embryos were in storage at 5 April 2002 if the proposed research will result in the destruction of the embryos

In addition, the licensing committee must also have regard to the following:

> restricting the number of excess embryos likely to be required to achieve the goals of the research;
>
> the likelihood of a significant advance in knowledge as a result of the research which could not reasonably be achieved by other means — if other means (such as adult stem cells) had a realistic chance of achieving the result, the embryo research would not be approved;
>
> any relevant guidelines issued by the National Health and Medical Research Council;
>
> the Human Research Ethics Committee assessment of the application; and
>
> any other matters as prescribed by the regulations.

The new licensing system will mean that if Victorian ART clinics wish to conduct research on excess embryos, they will be required to seek a licence from the NHMRC embryo research licensing committee to do so. This will be in addition to the licence to conduct ART clinical practice that is required from the Victorian Infertility Treatment Authority.

This will mean that separate parts of clinics' work will be licensed separately, but that there will not be dual licensing for the same activities.

Ban on cloning

The existing Infertility Treatment Act has banned reproductive cloning in Victoria. However, technology has moved on since it was drafted. This bill replaces the existing ban on human cloning by adopting the wording in the commonwealth legislation. The wording in the commonwealth act is adequate to cover foreseeable changes in technology and this will satisfy any community concern that the current provisions are not adequate.

Other prohibited practices

Other practices, which will be banned by the bill, include the practice of somatic cell nuclear transfer (SCNT), sometimes referred to as 'therapeutic cloning'. This practice is banned under the provision banning the formation of embryos by a process other than the fertilisation of a human egg by a human sperm.

The creation of hybrid embryos and commercial trading in human reproductive material is also banned.

Penalties

The penalties listed in the bill for cloning and other prohibited practices are significantly higher than those in the Infertility Treatment Act 1995. The higher penalties reflect current concerns in the community about the significance of cloning and the lack of support for such a practice.

Review

The commonwealth acts will be reviewed two years after the date of royal assent. The review will include an examination of the applicability of establishing a stem cell bank. The Victorian government will be consulted by the National Health and Medical Research Council in determining the persons who undertake this review. This will ensure that the Australian scheme of legislation keeps abreast of developments in this area of technology and reflects current community attitudes.

This bill is comprehensive. It protects as well as enables. It is a bill that will allow Victoria to continue to develop world-respected IVF clinical practice and contribute to embryo research.

I commend the bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Thursday, 13 March.

Remaining business postponed on motion of Mr CAMERON (Minister for Agriculture).

ADJOURNMENT

Mr CAMERON (Minister for Agriculture) — I move:

That the house do now adjourn.

High Street Road, Wantirna: duplication

Mr WELLS (Scoresby) — I would like to raise with the Minister for Transport a matter of grave concern regarding the duplication of High Street Road from Gallaghers Road in Glen Waverley through to Cathies Lane in Wantirna South. The action I seek him to undertake is to ensure that the duplication of this road is full and complete. An enormous traffic problem is going to develop because the duplication finishes 400 metres from the Cathies Lane, Wantirna South, area.

We have been told that because of the Scoresby freeway the duplication of High Street Road gets to the edge of the Scoresby freeway reserve, goes back to just one lane in either direction and then goes back to being two lanes on the other side of the freeway reservation, which is going to cause an enormous traffic problem.

There is a certain amount of confusion because during the campaign and lead-up to the last state election a constituent of mine rang the Premier on radio 3AW to clarify what was happening. The Premier said that someone would get back to this constituent to find out what was happening and whether it was going to be fully duplicated through to Cathies Lane or, as the opposition claimed, was going to stop at the 400-metre mark.

A representative from Vicroads called the constituent to say that what the Liberal and other opposition parties were claiming was incorrect and the High Street Road duplication would be complete. As the roadworks are coming to an end we find that what the Liberal and other opposition parties were claiming is 100 per cent correct. When people are travelling from Glen Waverley to Wantirna South it will be dual carriageway until the edge of the Scoresby freeway reserve and it will then revert back to one lane, and the reason is that Vicroads does not want to redo this work.

Because of the incompetence of the Bracks Labor government in relation to the Scoresby freeway, it will be a number of years before the freeway is built — or even started with the way the government is going — which means that this bottleneck will create an enormous number of problems. I would ask the Minister for Transport to take action to ensure that the duplication is complete.

When we look at it from the other point of view, the Scoresby freeway will actually be going over the top of the duplication of High Street Road. Duplicating it now will mean better traffic flow and it will in no way affect the building of the Scoresby freeway.

Police: Bacchus Marsh station

Mr NARDELLA (Melton) — My adjournment matter is for the Minister for Police and Emergency Services. The action I request is for the minister to confirm or deny the accuracy of delays in the construction and upgrading of new police stations and prisons, and to take action to reassure the communities of Bacchus Marsh and other localities regarding the true position of construction of their police stations.

A report in the *Sunday Herald Sun* of 23 February by journalist Chris Tinkler refers to a number of police stations, including one at Bacchus Marsh in my electorate, as being behind schedule. I make it very clear that the construction of the Bacchus Marsh police station is not behind schedule. It was scheduled to be operational in February 2003, and it became operational — although members of the opposition say it has not even started, but they do not even know where Bacchus Marsh is! — on 18 February this year. It has been completed and is operational.

It is important to thank the previous honourable member for the region, now the honourable member for Gisborne, for her initiative in having construction work commence at the Bacchus Marsh police station. Last year I had a tour of the facilities with the minister, local community members, Mayor Comrie and Cr Russell. We met the local police officers, who are terrific officers. They know their communities and work under stressful conditions and in a dangerous environment, as we have discovered through the events of this week. The new police station is a fantastic facility for the town and for the police officers, and comes on top of the additional police allocated to Bacchus Marsh by police command after the government increased police force numbers by 800 during its last term.

I remind the house that the police force and the facilities were run down under the previous Liberal government in police personpower, staff, equipment and facilities.

Mr Wells interjected.

Mr NARDELLA — I asked for action before, if the honourable member had been listening. The article showed up two major flaws. The opposition major projects spokesperson, the honourable member for Warrandyte, was wrong. We all expect that from the shadow minister. The second flaw is that Chris Tinkler, the journalist, should undertake a revision course in Journalism 101 and learn about checking applications and press releases, especially from the opposition. The article refers to a number of other police and corrections upgrades which were either complete or on time. I ask the minister to investigate that for us.

Children: head lice

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Health relating to head lice at schools and preschools. I have received approximately 70 letters from concerned parents, schools, kindergartens, Department of Human Services case workers and school principals requesting a change to head lice inspections for schools. I have also met with many concerned parents. I would like the minister to take action and review the regulations regarding the inspection of students and the management of head lice in schools.

An article in the *Herald Sun* of 25 February states:

> Now that the kids are into their school routine, many parents may find they are fighting an insect that threatens to take over the household — lice.
>
> The blood-sucking intruders can create big problems.
>
> The wingless insects that live, breed and feed off the human scalp, crawl from head to head and are most commonly found among schoolchildren and their families.

Honourable members know that while head lice are not an agent for infectious disease, they are included in schedule 6 of the Health (Infectious Diseases) Regulations 2001.

The previous regulations of 1990 contained a provision enabling a medical officer, a health surveyor of a council or registered general nurse employed by a council to inspect any child in a school or children's service centre for head lice without parental consent. This power is no longer available under the new regulations.

I have received many letters and I will quote one from Joanne Healey, who says:

> I am writing to you to express my concern with the current regulations …
>
> I have three daughters that attend a Horsham primary school, who now go to school every day with the fear of being infested with head lice. Their fear does not stem from stigma but from the effect it has on their normal routine. They become upset, anxious and angry if I wish to check their hair for fear of me finding something.

There are many other letters. I have plenty of time, so I will read another one! That letter goes on to say:

> The current regulations do nothing for the mental wellbeing and happiness of the children attending our schools, nor do they give parents any reasonable expectation of not having to treat children every week.

> I would have thought that schools made up part of our community and fail to see why they cannot tell parents, when head lice are found in a grade, that their child may have been in contact with head lice.

There have also been many press articles in the *Wimmera Mail-Times*, one under the heading 'Lice petition seeks change', and another under the heading 'Campaigner: lice regulations fail'. Also, there has been an editorial titled 'Head lice: sense or sensitivity?'. It really is critical of the current regulations. I call for action from the minister.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member's time has expired.

Bushfires: Hillside and Caroline Springs brigades

Mr SEITZ (Keilor) — I raise a matter for the attention of the Minister for Police and Emergency Services. The action I seek is for the brave people in our fire service, particularly the Country Fire Authority (CFA) members of Hillside and Caroline Springs stations who have participated in fighting the big fires this time round, and the Metropolitan Fire Brigade people who have supported them as a back-up system.

I would like to congratulate them on the professional manner in which this crisis in the state has been handled, and the way that people from my electorate, particularly the CFA and Metropolitan Fire Brigade members, have worked together and cooperated. Once again Hillside station members went to the New South Wales fires and assisted as volunteers.

It is a great pleasure for me to ask the minister for some way to reward these people and recognise their services, not so much individually but to consider something that can be presented in particular to those new stations to show that personnel from those stations have participated in these tremendous community efforts, supporting the community and volunteering to help out in other regions.

Having been around at the time of the Ash Wednesday fires, which came very close to us particularly at Mount Macedon and to people I knew personally, I saw the effect of that and can still vividly remember going up there to help people with the evacuation and all the confusion that was occurring at the time. We learnt a lesson from that, as did all the emergency services departments, so that they are now acting very smoothly and correctly. It is sad that we unfortunately had that fatality yesterday. It was a very unfortunate ending to an already sad story of fire damage when one considers Ash Wednesday in particular and the woman on Geelong Road who got out of her car instead of staying in the car for safety, with the sad result that she and her two children perished.

This time around the CFA has been carrying out education programs within community groups, communicating with people on what action to take and what not to take. They should be commended for that. I know that volunteers do not usually want to be given individual certificates or recognition, but their station should be recognised for sending volunteers away to places where they have done tremendous work on behalf of the rest of us, and to help our less fortunate Victorians who were engulfed by the fires.

Broadmeadows Employment Program: administration

Mr HONEYWOOD (Warrandyte) — I wish to raise a matter with the Minister for Employment and Youth Affairs. After the embarrassment she suffered in question time today by having to revert to reading from a prepared script on a general employment information program freely available on her own department's own webpage, I request that she now take action to deal with the specifics regarding the Broadmeadows Employment Program.

The first is: given that the Supreme Court of Victoria has found BEP's committee of management to be unconstitutional for two years, will she now review her departmental guidelines for funding illegal organisations? Second, will the minister now demand a full independent investigation into BEP's management and require a refund of taxpayer funds as part of the action? Third, will the minister ascertain how $4100 of the Broadmeadow Employment Program's employment funds found their way to the Upfield Soccer Club? And fourth, the 18 backdated, so-called Broadmeadows Employment Program members include the new federal Labor member for Calwell, Maria Vamvakinou — and I am advised that she used to be employed by the former president of the Broadmeadows Employment Program, Dr Andrew Theophanous.

Another member of BEP is also coincidentally a key member of the same Upfield Soccer Club. So you have got an executive member of the Broadmeadows Employment Program coincidentally a member of the Upfield Soccer Club, which just so happens to have $4100 given to it by a program that is meant to be going to employment of young people rather than to supporting a soccer club.

This whole BEP administration is clearly a Labor Party front group that would make the honourable member for Keilor proud to put in front of his bingo club and other activities that support his electorate.

I call upon the minister to come into the chamber to answer the specific question of why it is that $200 000 of state government money has gone to an unconstituted group that no less an authority than the Supreme Court of Victoria has found, only last week, to have been unconstitutional for two years. This is nothing more than a way in which Labor Party money is recycled to mates.

Planning: Nillumbik supermarket

Ms GREEN (Yan Yean) — I raise a matter for the urgent attention of the Minister for Planning. The minister is, I know, aware of an application made to Nillumbik shire by the Roman Catholic Property Trust on behalf of Coles for a supermarket in Diamond Creek Road, Plenty. The application has caused widespread concern in the local community amongst traders and local residents due to the inappropriate siting on an already busy road adjacent to St Thomas's primary school.

The action I seek from the minister is to call this matter in for her decision. I will now detail why I make this request. The Nillumbik community is aware that the state government has released a planning blueprint, *Melbourne 2030*. This groundbreaking document details retail centres, and they are listed. In the Nillumbik and Banyule areas these activity centres are listed as Diamond Creek, Greensborough and Eltham. They are well supported by the local community and are serviced by public transport, roads and car parking.

In the last year or so it has been apparent that there had been a transcription error in the new Nillumbik planning scheme when it was adopted. There was a discrepancy in this planning scheme between a diagram and the narrative pertaining to the land in Diamond Creek Road. It was never the intention of the Nillumbik shire, nor the understanding of local residents, that this type of development would be allowed on the site. However, two applications for supermarkets were submitted to Nillumbik council for such a development. One was from the Aldi organisation and one from the Roman Catholic Trust on behalf of Coles.

As I said earlier, these applications have caused widespread consternation in the local community. I know this from doorknocking hundreds of households in the area of Plenty and Greensborough in both the Sunrise and Apollo Parkways localities. It was the issue most often raised.

The residents of Plenty established a community organisation called PRARE — Plenty Residents Against Retail Expansion. PRARE presented a petition to the council containing around 800 signatures.

The proposed supermarket development applications are for a total of 6300 square metres of retail space, larger than the whole retail area of Diamond Creek township and twice the retail area of Eltham.

A report into retail space commissioned by the Nillumbik Shire Council shows that residents in Nillumbik and Banyule have more square metres of retail space per head of population than any other area of Melbourne. My colleague the honourable member for Eltham has also been lobbied by his local community in St Helena and the Eltham traders.

I know that, like me, he is opposed to the development. I commend Aldi for withdrawing its application in recognition of the concern in our local community. Unfortunately it seems the backers of Coles have no intention of withdrawing, so I see no clear alternative to the minister calling the matter in.

Manningham Road, Bulleen: traffic control

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the attention of the Minister for Transport regarding the relocation of traffic lights on Manningham Road near Bulleen Plaza. I am advised by the Manningham City Council that there have been three accidents at the intersection of Egan Drive and Manningham Road.

I have raised this with the minister on previous occasions and have written to him, but with no success. I raised the matter during the adjournment debate on 23 August 2001, and it took the minister until 13 June 2002 to respond to my adjournment matter. The minister has turned the practice of not responding to correspondence into an art form.

Vicroads has also not been very helpful, and that is why I am raising the matter again with the minister and asking him to revisit my request and provide appropriate funding to place the traffic lights near Bulleen Plaza.

The Manningham City Council wrote to me, stating in its letter of 22 February 2002:

> We confirm your previous advice that this site is unlikely to attract full funding as a potential black spot …

Manningham council also wrote to Vicroads, but despite numerous telephone calls by the council it did not respond. The council again wrote to Vicroads, saying:

> We confirm our previous email advice of 7 December 2001 and 5 February 2002 that council and the traders will contribute to the cost of the signal installation in order to secure Vicroads contribution to this project. To date, council has not received a response to council's requests for advice as to the level of funding required of council and the traders, or the likely time lines of assessment of this application.
>
> In order to minimise disruption to trade and to the community, preferably the signal installation works would be undertaken early in the 2002/2003 financial year. In order to meet these time lines, your urgent attention to this matter and advice is requested.

That took a few months, and finally Vicroads responded advising that there was no money available. The council has gone back to the traders, who have agreed to pay a third of the cost of the approximate $160 000. The Manningham City Council and the traders are happy to put in a third each, and they want Vicroads to put in a third.

Will the minister again visit my request to investigate and provide funding to relocate the lights close to Bulleen Plaza? This will ensure the safety of the students of the local primary school nearby, as well as a number of senior citizens who also use the crossing.

Anzac Day: bus services

Mr ROBINSON (Mitcham) — It is a pleasure to join the adjournment debate. I also have a matter for the attention of the Minister for Transport regarding the responsibilities he has assumed in the past few years for providing free buses to the Anzac Day dawn service at the Shrine of Remembrance.

I am seeking the minister's agreement to provide this valuable service again in 2003. I am pleased to have been associated with the service since it was set up under the Bracks government. The reason for my association is that it came to my attention in the mid-1990s that it was impossible for someone in the suburbs of Melbourne to reach the Shrine of Remembrance in time for the Anzac Day dawn service if they were relying upon public transport. By the time you took the first train and the first tram to get down to the shrine, the dawn service was finished.

The Minister for Transport kindly agreed to my request in 2000 and from that time we have seen this idea grow into a great success. In the first year the service operated only about 130 people participated, but last year we had some 1400 people from across Melbourne attending the shrine. It was a great success, with 37 buses filled to capacity. The service was advertised extensively through the local papers and at train stations, and they had to close off bookings a couple of days beforehand.

I need to acknowledge the assistance over the past few years of the Returned and Services League and the Victorian Bus Proprietors Association, and last year the rail franchise operators. In addition, it is difficult for me, as I am sure some honourable members would understand, because I have to acknowledge the assistance of the Collingwood and Essendon football clubs.

Honourable members interjecting.

Mr ROBINSON — They all come out — February premiers! Here they go again, just another year of disappointment ahead for Collingwood. It will be a year for the Demons this year, there is no doubt about that at all!

I hope the Minister for Transport is able to arrange funding for the service this year. It is worth pointing out that over the past few years the service has not cost a great deal; I think it has operated for about $10 000 to $20 000 each time. That is terrific value for money when you think about what it can deliver. I acknowledge and accept that there are parking restrictions and traffic management problems around the shrine on Anzac Day morning — any member of the house who has attended the dawn service would vouch for that. However, I believe it would be possible for some 40 buses to be accommodated again this year. As I said, it is a very inexpensive way of allowing many people from across Melbourne to attend this very significant event in the life of the city.

Stanley: storm damage

Mr PLOWMAN (Benambra) — I wish to raise an issue for the attention of the Minister for Agriculture. On 26 November 2002 the small community of Stanley was blasted by a storm, the likes of which had never before been experienced by that area. Not only was the wind so extreme that it twisted out trees that were up to 12 and 15 feet in girth but the hail — up to 4 centimetres in diameter — fell at such a velocity that it stripped the trees and then lifted the bark off the limbs. Stanley is renowned as an apple growing area, and the storm wiped out an estimated 84 per cent of this year's apple crop. The crop damage was valued at about $8 million, with an economic multiplier effect for the district of about $12 million.

The run of bad luck did not stop there for Stanley, as the town experienced some of those fires. One started in Stanley and burnt right up to the edge of the town, destroying a lot of privately owned pine plantation and private property. The double tragedy that beset Stanley has meant that the public's attention has shifted from the damage to the apple orchards and the people involved with them to those who suffered fire damage and the tragedy that has occurred since then.

However, the impact of this storm will undoubtedly have the greater effect on the economic life of that community. That community and the growers are seeking assistance from the Minister for Agriculture. A small deputation was to meet with the minister this afternoon. I understand that the minister was not available, and therefore I take this opportunity to ask the minister to review the disaster that struck those apple growers and caused this severe loss. It is not just for this year's production but is affecting up to three years production.

The assistance that the community is actually asking for is the provision of assistance similar to that being offered under the drought assistance package, being compensation to growers of a third of their lost income for a 12-month period up to a maximum of $20 000 and the provision of assistance with protection from such events, like the part funding for hail net protection systems. Both of those would be of enormous value to this community — it would help it get back on its feet and would certainly help the growers in the future.

Aquatic facilities: Maribyrnong

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Footscray has about 2½ minutes.

Mr MILDENHALL (Footscray) — I raise a matter for the attention of the Minister for Sport and Recreation, through the Minister for Planning. I ask the minister to confirm that the government would be most unlikely to give priority to the construction of a second major aquatic centre in the Maribyrnong municipality.

It was a great occasion last year when the Premier announced major funding from the Community Support Fund as part of the funding for a $17.5 million, 50-metre regional indoor aquatic centre. Despite the ideal location beside the Highpoint shopping centre — the principal activity centre of the western suburbs — local Greens and right-wing Independents have been arguing for the additional rebuilding of the present Footscray Swim Centre, some 3 kilometres away, under the crude and simplistic slogan of 'Save the Footscray Pool'.

This proposal is financial lunacy. The current Footscray Swim Centre loses over $900 000 per annum and has lost over a third of its patronage over the past five years. For the new centre to be financially viable the remaining customer base from the old centre must be relocated to the new centre. To rebuild the old centre would cost at least $13 million and would add at least $450 per rate assessment, and it would condemn both centres to substantial operating losses, thereby threatening their very viability.

I ask the minister to clarify to these dreamers that in the context of the financial implications and the fact that Maribyrnong has already received the largest ever grant for a municipal pool, it would be most unlikely that additional funding would be provided for a second aquatic centre. These Greens are all care but no responsibility. In a council area with high levels of poverty and already high municipal rates it is the height of financial and social irresponsibility to argue for this unnecessary duplication. These people are truly the financial and policy fairies at the bottom of the garden. To argue for two major aquatic centres within 3 kilometres of each other and connected by an 11-minute tram trip is totally unnecessary and is a crude attempt to garner votes in the coming municipal election.

The ACTING SPEAKER (Ms Barker) — Order! The time for raising matters on the adjournment has expired.

Responses

Ms DELAHUNTY (Minister for Planning) — The honourable member for Yan Yean raised quite a difficult issue. It is really about the conjunction of two matters, one being the refusal by the Nillumbik Shire Council of a proposal by Coles to build a supermarket on Diamond Creek Road following objections from local residents and businesses. The council also commenced a strategic review known as amendment C20 to rezone the land from business 1 to residential development and local convenience, shopping only.

Coles has asked for a review of the council's position at the Victorian Civil and Administrative Tribunal. On advice from the department I believe it is appropriate that this application be considered in the context of the proposed amendment C20, the strategic review amendment, which will when it is completed establish a strategic framework for future use of the whole area.

I am proposing that an advisory committee consider the proposal of the Nillumbik Shire Council to rezone that land along Diamond Creek Road and consider therefore in that context the merits of the application by the Coles supermarket. As the honourable member quite rightly raises, the location of mixed-use developments is a strategic issue for Melbourne 2030, the government's blueprint for managing the growth of Melbourne over the next 30 years. I think it is appropriate and fair — everything is a balance in planning — that this advisory committee examine the Coles proposal in the light of Melbourne 2030 and in the light of the agreed usage of that land.

I congratulate the new member for Yan Yean on her inaugural speech and her advocacy for her constituents so early in her term.

Mr CAMERON (Minister for Agriculture) — The honourable member for Benambra raised a matter with me concerning fruit growers in the Stanley district, and the fact that they had a considerable storm last year. As he said, there was a meeting this afternoon. Unfortunately I got called to a ministerial meeting, but there was a meeting between the head of the Victorian Farmers Federation horticultural group, Colin MacCormack; some of the affected people; and my acting chief of staff, Dr Worrall, where there was a discussion about what assistance the department may give.

You may be aware that the traditional assistance from the state department has been around extension and whether there was anything that could be done around R and D. Those matters are being considered. Equally there was discussion around whether there can be an exceptional circumstances application, and consideration and assistance will be given regarding that, although it is recognised that that is a considerable hurdle. Nevertheless, that was the outcome of the discussion. I understand it was amicable, and we will be pursuing those matters.

Ms PIKE (Minister for Health) — I thank the honourable member for Lowan for raising this rather scratchy issue at this time of the day!

It is true that head lice can be extremely frustrating for both schools and parents — and that head lice show no favourites. They do not transmit any infectious diseases and do not really cause any serious health problems, but managing them within the community and respecting the change in attitudes and issues around parental authority et cetera are very complex issues.

The public health people advise me that the most effective way of treating head lice is to regularly check for them by getting one of those fine toothcombs, conditioning the hair and checking for them on a weekly basis. The problem is that when you have broad-based campaigns in schools there are just not the resources to travel through a whole school with such regularity. Sometimes in the past those compulsory school-based inspections have really stigmatised kids and meant that they have had to be separated out, which has in many ways led to further frustration.

To assist families the Department of Human Services has revised its process and is tending to focus on education and the empowerment of families. It now has an information and awareness strategy call 'Scratching for Answers'. That information kit has been made available — —

Mr Honeywood interjected.

Ms PIKE — It probably was in your time, Phil. Those kits have been distributed throughout primary schools and children's services, as well as through councils, right throughout Victoria.

In the past doctors and councils were given the power to examine children for head lice without parental consent. But I think people would understand that there has been a lot of change in community expectations and attitudes around what the authorities can do to our children. In the end, empowering parents and getting them involved is really a far more effective strategy. Certainly under the revised Health (Infectious Diseases) Regulations 2000 it was determined not to continue those kinds of activities without parental consent.

However, there are some mechanisms available to schools that I am happy to advise the honourable member about. Council staff and other health providers can conduct broad-based checks for head lice, but the school needs to have a mechanism whereby it obtains parental consent — say, at the beginning of the year — by way of an authorisation form et cetera so those routine kinds of inspections can be undertaken. So that capacity is there.

Returning to the original point, the best and most effective mechanism to deal with this is to educate and empower people — to give people the information and really assist them in checking their kids' hair on a weekly basis so that nits really can be controlled in schools.

The question was whether we will review the process. There is not a decision to have a specific review at this point in time. However, I certainly will be encouraging

the department to consider this as part of its ongoing public health review as it looks at strategies and their effectiveness. Clearly if there are major outbreaks of head lice and the current strategies are ineffective, they will have to be reviewed.

Having had this matter drawn to my attention I will also draw it to the attention of the department and ask for a specific response in the context of the communities within the electorate of Lowan.

Mr HAERMEYER (Minister for Police and Emergency Services) — The honourable member for Keilor raised the issue of recognition for emergency services volunteers in particular for the work they have done in the recent fires that have afflicted the north-east of the state as well as Gippsland.

He made particular reference to the Caroline Springs–Hillside brigade of the Country Fire Authority, which straddles both his electorate and my electorate; and I have to say it is a great credit to its members. They form a fairly young brigade on the outskirts of Melbourne and have travelled a long way into some fairly unfamiliar territory. They have, along with volunteers from many other parts of the state, done an absolutely magnificent job. We have had volunteers from places like Mildura — as flat as flat can be — going out there into alpine country, helping those people protect their communities and their farms and homes from these very terrible fires.

It has been a real team effort. It has not just been the Country Fire Authority brigades; the State Emergency Service units have also provided a great deal of support. There have been a lot of volunteers from there, and there have been career people from all of the emergency services — the SES, the CFA, Victoria Police, the Department of Sustainability and Environment and Parks Victoria.

As I said yesterday, some 25 different agencies are involved, and we want to make sure that everybody is recognised — not just the people who dealt with the fires but also the people who provided background support, the people who stayed behind, particularly those who stayed in some of our most fire-prone areas elsewhere in the state to ensure that we did not have major break-outs there and leave those areas exposed with unsatisfactory fire cover. They all made an enormous contribution, and they all need appropriate recognition.

The government has undertaken an appropriate consultation process, as it has committed to doing with the volunteer associations at both the CFA and the SES. We currently have a charter with the CFA volunteers and are developing one with the SES volunteers to ensure that they will be consulted in all matters that affect them. The honourable member can rest assured that we are working on an appropriate form of recognition for all of the people involved.

As I said, it is not just for the people who have been on the fire front; although certainly a great deal of credit goes to the people who were on the fire front and particularly the members of the Caroline Springs-Hillside brigade to which the honourable member referred.

The honourable member for Melton referred to an article in the *Sunday Herald Sun*. He expressed some concern about the progress of the Bacchus Marsh police station. The article he referred to is one that was planted by the Deputy Leader of the Opposition. Under the heading ‘Major assets $500 million short’ the article states:

> Projects well behind schedule included the expansions of Loddon prison in Castlemaine and Barwon prison in Lara and new police stations in Preston, Richmond, Croydon, Kew, Belgrave, Bacchus Marsh, Ocean Grove, Moe, Seymour, Maryborough and Gisborne.

The first thing I need to point out is that the Loddon prison expansion and the Barwon prison expansion are now complete, and we are just about ready to move prisoners into those facilities.

Mr Honeywood interjected.

Mr HAERMEYER — The honourable member mentioned the Bacchus Marsh police station. If he had bothered to watch the news tonight he might have seen it in the background, because there was a police officer operating out of that police station. It has in fact been completed for some time.

This government has undertaken the largest police station construction program in the history of this state. Unlike the people opposite who were committed to closing 34 police stations across the state, the government is actually embarking upon a record police station building program worth some $280 million. It committed to 67 police stations in its first term, more than two-thirds of which are already complete, and it has committed to a further 68 police stations in its second term of government. Without doubt there is a small number of police stations where, for siting reasons, those police stations — —

Mr Wells — Siting reasons!

Mr HAERMEYER — We might also look at Maryborough because there was some deliberate obstruction from a Brighton resident by the name of Mr de Fegely, who went out of his way to try to obstruct the location of the police station in Maryborough. And, of course, we all remember the former member for Berwick and his role in frustrating the construction of the Endeavour Hills police station.

But of these police stations the honourable member for Melton mentions, let me say that the Kew-Boroondara police station project was completed and has been operational since September 2002 — the original contract completion date was October 2002 so it was delivered early; the Belgrave police station had a completion date of June 2003, and it is still expected to be completed in June 2003; Bacchus Marsh police station — already open, project on budget and on time; Ocean Grove police station — currently on time, on budget; and Moe police station — currently on time, on budget. These police station constructions would not even be occurring if these people opposite were still in power. Even if they were committed to building them, they would not have any police to put in them because they were cutting the guts out of the police force.

As I say, this government is committed to the biggest police station building program in this state's history, and that includes a new $650 000 police station in Warrandyte — and, I might add, I actually bothered to check — —

Mr Honeywood — It burnt down, that's why!

Mr HAERMEYER — What have you been doing? What have you been up to?

The ACTING SPEAKER (Ms Barker) — Order! The minister responding to the matters raised and not to the honourable member for Warrandyte on the other side of the table.

Mr HAERMEYER — The honourable member for Warrandyte has not made one single representation to get that police station built, so with a record like this he is wrong, wrong, wrong! If the honourable member for Warrandyte says it is fine outside, I suggest that anybody wanting to take his advice should look outside the window before they leave their brolly behind.

Mr Honeywood — On a point of order, Acting Speaker, this is the first adjournment debate under the new sessional orders, and my point of order is that the honourable members for Bulleen and Scoresby raised a matter for the Minister for Transport, I raised a matter for the Minister for Employment and Youth Affairs, and we have 14 minutes to go. The Minister for Police and Emergency Services has sat down, therefore this whole new open and accountable second-term government will not be providing answers in an adjournment debate to questions from the opposition.

The ACTING SPEAKER (Ms Barker) — Order! I have heard enough on the point of order from the honourable member for Warrandyte. I was just about to remind the Minister for Police and Emergency Services as minister at the table to respond to the matters raised by those other members.

Mr HAERMEYER — I apologise, Acting Speaker. The honourable member for Scoresby raised a matter for the Minister for Transport regarding a road project in Wantirna South, and I will draw that to his attention.

The honourable member for Lowan raised a matter for the Minister for Health.

The ACTING SPEAKER (Ms Barker) — Order! That matter has been dealt with.

Mr HAERMEYER — That matter has already been dealt with.

The honourable member for Bulleen also raised a matter for the Minister for Transport, as did the honourable member for Mitcham. I shall draw both those matters to the attention of the Minister for Transport.

The honourable member for Footscray raised a matter for the attention of the Minister for Sport and Recreation in the other place, and I will draw that to the attention of the minister.

The ACTING SPEAKER (Ms Barker) — Order! The honourable member for Warrandyte also raised a matter for the Minister for Employment and Youth Affairs.

Mr HAERMEYER — The honourable member for Warrandyte did raise a matter for the Minister for Employment and Youth Affairs, and that will also be drawn to the attention of the minister.

Motion agreed to.

House adjourned 6.49 p.m. until Tuesday, 18 March.

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