

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Book 1**

**3 and 4 November 1999**

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## **The Governor**

His Excellency the Honourable Sir JAMES AUGUSTINE GOBBO, AC

## **The Lieutenant-Governor**

Professor ADRIENNE E. CLARKE, AO

## **The Ministry**

|   |                               |
|---|-------------------------------|
| Premier, Treasurer and Minister for Multicultural Affairs . . . . .   | The Hon. S. P. Bracks, MP     |
| Deputy Premier, Minister for Health and Minister for Planning . . . . .   | The Hon. J. W. Thwaites, MP   |
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| Minister for Transport . . . . .  | The Hon. P. Batchelor, MP     |
| Minister for Energy and Resources, Minister for Ports and<br>Minister assisting the Minister for State and Regional Development. . .  | The Hon. C. C. Broad, MLC     |
| Minister for State and Regional Development, Minister for Finance and<br>Assistant Treasurer . . . . .                                | The Hon. J. M. Brumby, MP     |
| Minister for Local Government, Minister for Workcover and<br>Minister assisting the Minister for Transport regarding Roads . . . . .  | The Hon. R. G. Cameron, MP    |
| Minister for Community Services . . . . .   | The Hon. C. M. Campbell, MP   |
| Minister for Education and Minister for the Arts . . . . .  | The Hon. M. E. Delahunty, MP  |
| Minister for Environment and Conservation and<br>Minister for Women's Affairs . . . . .   | The Hon. S. M. Garbutt, MP    |
| Minister for Police and Emergency Services and<br>Minister for Corrections . . . . .  | The Hon. A. Haermeyer, MP     |
| Minister for Agriculture and Minister for Aboriginal Affairs . . . . .  | The Hon. K. G. Hamilton, MP   |
| Attorney-General, Minister for Manufacturing Industry and<br>Minister for Racing . . . . .  | The Hon. R. J. Hulls, MP      |
| Minister for Post Compulsory Education, Training and Employment. . . . .  | The Hon. L. J. Kosky, MP      |
| Minister for Sport and Recreation, Minister for Youth Affairs and<br>Minister assisting the Minister for Planning . . . . .           | The Hon. J. M. Madden, MLC    |
| Minister for Gaming, Minister for Major Projects and Tourism and<br>Minister assisting the Premier on Multicultural Affairs . . . . . | The Hon. J. Pandazopoulos, MP |
| Minister for Housing, Minister for Aged Care and<br>Minister assisting the Minister for Health . . . . .                              | The Hon. B. J. Pike, MP       |
| Minister for Small Business and Minister for Consumer Affairs . . . . .   | The Hon. M. R. Thomson, MLC   |
| Parliamentary Secretary of the Cabinet . . . . .  | The Hon. G. W. Jennings       |

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*Assembly* — Clerk of the Legislative Assembly: Mr R. W. Purdey

*Hansard* — Chief Reporter: Ms C. J. Williams

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**FIFTY-FOURTH PARLIAMENT — FIRST SESSION**

**Speaker:** The Hon. ALEX ANDRIANOPOULOS

**Deputy Speaker and Chairman of Committees:** The Hon. J. M. MADDIGAN

**Temporary Chairmen of Committees:** Ms Barker, Ms Davies, Mr Jasper, Mr Kilgour, Mr Loney, Mr Lupton, Mr Nardella,  
Mrs Peulich, Mr Phillips, Mr Plowman, Mr Richardson, Mr Savage, Mr Seitz

**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:**

The Hon. D. V. NAPHTHINE

**Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:**

The Hon. LOUISE ASHER

**Leader of the Parliamentary National Party:**

The Hon. P. J. McNAMARA

**Deputy Leader of the Parliamentary National Party:**

Mr. P. J. RYAN

| Member                             | District       | Party | Member                           | District        | Party |
|------------------------------------|----------------|-------|----------------------------------|-----------------|-------|
| Allan, Ms Jacinta Marie            | Bendigo East   | ALP   | Leighton, Michael Andrew         | Preston         | ALP   |
| Andrianopoulos, Alex               | Mill Park      | ALP   | Lenders, John Johannes Joseph    | Dandenong North | ALP   |
| Asher, Ms Louise                   | Brighton       | LP    | Lim, Hong Muy                    | Clayton         | ALP   |
| Ashley, Gordon Wetzel              | Bayswater      | LP    | Lindell, Ms Jennifer Margaret    | Carrum          | ALP   |
| Baillieu, Edward Norman            | Hawthorn       | LP    | Loney, Peter James               | Geelong North   | ALP   |
| Barker, Ms Ann Patricia            | Oakleigh       | ALP   | Lupton, Hurtle Reginald, OAM, JP | Knox            | LP    |
| Batchelor, Peter                   | Thomastown     | ALP   | McArthur, Stephen James          | Monbulk         | LP    |
| Beattie, Ms Elizabeth Jean         | Tullamarine    | ALP   | McCall, Ms Andrea Lea            | Frankston       | LP    |
| Bracks, Stephen Philip             | Williamstown   | ALP   | McIntosh, Andrew John            | Kew             | LP    |
| Brumby, John Mansfield             | Broadmeadows   | ALP   | MacLellan, Robert Roy Cameron    | Pakenham        | LP    |
| Burke, Ms Leonie Therese           | Prahran        | LP    | McNamara, Patrick John           | Benalla         | NP    |
| Cameron, Robert Graham             | Bendigo West   | ALP   | Maddigan, Mrs Judith Marilyn     | Essendon        | ALP   |
| Campbell, Ms Christine Mary        | Pascoe Vale    | ALP   | Maughan, Noel John               | Rodney          | NP    |
| Carli, Carlo                       | Coburg         | ALP   | Maxfield, Ian John               | Narracan        | ALP   |
| Clark, Robert William              | Box Hill       | LP    | Mildenhall, Bruce Allan          | Footscray       | ALP   |
| Cooper, Robert Fitzgerald          | Mornington     | LP    | Mulder, Terence Wynn             | Polwarth        | LP    |
| Davies, Ms Susan Margaret          | Gippsland West | Ind   | Napthine, Dr Denis Vincent       | Portland        | LP    |
| Dean, Dr Robert Logan              | Berwick        | LP    | Nardella, Donato Antonio         | Melton          | ALP   |
| Delahunty, Hugh Francis            | Wimmera        | NP    | Overington, Ms Karen Marie       | Ballarat West   | ALP   |
| Delahunty, Ms Mary Elizabeth       | Northcote      | ALP   | Pandazopoulos, John              | Dandenong       | ALP   |
| Dixon, Martin Francis              | Dromana        | LP    | Paterson, Alistair Irvine        | South Barwon    | LP    |
| Doyle, Robert Keith Bennett        | Malvern        | LP    | Perton, Victor John              | Doncaster       | LP    |
| Duncan, Ms Joanne Therese          | Gisborne       | ALP   | Peulich, Mrs Inga                | Bentleigh       | LP    |
| Elliott, Mrs Lorraine Clare        | Mooroolbark    | LP    | Phillips, Wayne                  | Eltham          | LP    |
| Fyffe, Mrs Christine Ann           | Evelyn         | LP    | Pike, Ms Bronwyn Jane            | Melbourne       | ALP   |
| Garbutt, Ms Sherryl Maree          | Bundoora       | ALP   | Plowman, Antony Fulton           | Benambra        | LP    |
| Gillett, Ms Mary Jane              | Werribee       | ALP   | Richardson, John Ingles          | Forest Hill     | LP    |
| Haermeyer, André                   | Yan Yean       | ALP   | Robinson, Anthony Gerard Peter   | Mitcham         | ALP   |
| Hamilton, Keith Graeme             | Morwell        | ALP   | Rowe, Gary James                 | Cranbourne      | LP    |
| Hardman, Benedict Paul             | Seymour        | ALP   | Ryan, Peter Julian               | Gippsland South | NP    |
| Helper, Jochen                     | Ripon          | ALP   | Savage, Russell Irwin            | Mildura         | Ind   |
| Holding, Timothy James             | Springvale     | ALP   | Seitz, George                    | Keilor          | ALP   |
| Honeywood, Phillip Neville         | Warrandyte     | LP    | Shardey, Mrs Helen Jean          | Caulfield       | LP    |
| Howard, Geoffrey Kemp              | Ballarat East  | ALP   | Smith, Ernest Ross               | Glen Waverley   | LP    |
| Hulls, Rob Justin                  | Niddrie        | ALP   | Spry, Garry Howard               | Bellarine       | LP    |
| Ingram, Craig                      | Gippsland East | Ind   | Steggall, Barry Edward Hector    | Swan Hill       | NP    |
| Jasper, Kenneth Stephen            | Murray Valley  | NP    | Thompson, Murray Hamilton        | Sandringham     | LP    |
| Kennett, Jeffrey Gibb <sup>1</sup> | Burwood        | LP    | Thwaites, Johnstone William      | Albert Park     | ALP   |
| Kilgour, Donald                    | Shepparton     | NP    | Trezise, Ian Douglas             | Geelong         | ALP   |
| Kosky, Ms Lynne Janice             | Altona         | ALP   | Viney, Matthew Shaw              | Frankston East  | ALP   |
| Kotsiras, Nicholas                 | Bulleen        | LP    | Vogels, John Adrian              | Warmambool      | LP    |
| Langdon, Craig Anthony Cuffe       | Ivanhoe        | ALP   | Wells, Kimberley Arthur          | Wantirna        | LP    |
| Languiller, Telmo                  | Sunshine       | ALP   | Wilson, Ronald Charles           | Bennettswood    | LP    |
| Leigh, Geoffrey Graeme             | Mordialloc     | LP    | Wynne, Richard William           | Richmond        | ALP   |

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



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**Wednesday, 3 November 1999**

**OPENING OF PARLIAMENT BY  
COMMISSION**

Proceedings commenced 11.00 a.m. by Clerk reading His Excellency 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 entered chamber and was conducted to chair by Serjeant-at-Arms.

**SWEARING IN OF MEMBERS**

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

Clerk announced receipt of returns of two writs issued by His Excellency 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     |
| Bayswater     | Gordon Wetzel Ashley       |
| Bellarine     | Garry Howard Spry          |
| Benalla       | Patrick John McNamara      |
| Benambra      | Antony Fulton Plowman      |
| Bendigo East  | Jacinta Marie Allan        |
| Bendigo West  | Robert Graham Cameron      |
| Bennettswood  | Ronald Charles Wilson      |
| Bentleigh     | Inga Peulich               |
| Berwick       | Robert Logan Dean          |
| Box Hill      | Robert William Clark       |

| District        | Member                        |
|-----------------|-------------------------------|
| Brighton        | Louise Asher                  |
| Broadmeadows    | John Mansfield Brumby         |
| Bulleen         | Nicholas Kotsiras             |
| Bundoora        | Sherryl Maree Garbutt         |
| Burwood         | Jeffrey Gibb Kennett          |
| Carrum          | Jennifer Margaret Lindell     |
| Caulfield       | Helen Jean Shardey            |
| Clayton         | Hong Muy Lim                  |
| Coburg          | Carlo Carli                   |
| Cranbourne      | Gary James Rowe               |
| Dandenong       | John Pandazopoulos            |
| Dandenong North | John Johannes Joseph Lenders  |
| Doncaster       | Victor John Perton            |
| Dromana         | Martin Francis Dixon          |
| Eltham          | Wayne Phillips                |
| Essendon        | Judith Marilyn Maddigan       |
| Evelyn          | Christine Ann Fyffe           |
| Footscray       | Bruce Allan Mildenhall        |
| Forest Hill     | John Ingles Richardson        |
| Frankston       | Andrea Lea McCall             |
| Frankston East  | Matthew Shaw Viney            |
| Geelong         | Ian Douglas Trezise           |
| Geelong North   | Peter James Loney             |
| Gippsland East  | Craig Ingram                  |
| Gippsland South | Peter Julian Ryan             |
| Gippsland West  | Susan Margaret Davies         |
| Gisborne        | Joanne Therese Duncan         |
| Glen Waverley   | Ernest Ross Smith             |
| Hawthorn        | Edward Norman Baillieu        |
| Ivanhoe         | Craig Anthony Cuffe Langdon   |
| Keilor          | George Seitz                  |
| Kew             | Andrew John McIntosh          |
| Knox            | Hurtle Reginald Lupton        |
| Malvern         | Robert Keith Bennett Doyle    |
| Melbourne       | Bronwyn Jane Pike             |
| Melton          | Donato Antonio Nardella       |
| Mildura         | Russell Irwin Savage          |
| Mill Park       | Alex Andrianopoulos           |
| Mitcham         | Anthony Gerard Peter Robinson |
| Monbulk         | Stephen James McArthur        |
| Mooroolbark     | Lorraine Clare Elliott        |
| Mordialloc      | Geoffrey Graeme Leigh         |

| District      | Member                           |
|---------------|----------------------------------|
| Mornington    | Robert Fitzgerald Cooper         |
| Morwell       | Keith Graeme Hamilton            |
| Murray Valley | Kenneth Stephen Jasper           |
| Narracan      | Ian John Maxfield                |
| Niddrie       | Rob Justin Hulls                 |
| Northcote     | Mary Elizabeth Delahunty         |
| Oakleigh      | Ann Patricia Barker              |
| Pakenham      | Robert Roy Cameron<br>Maclellan  |
| Pascoe Vale   | Christine Mary Campbell          |
| Polwarth      | Terence Wynn Mulder              |
| Portland      | Denis Vincent Naphthine          |
| Prahran       | Leonie Therese Burke             |
| Preston       | Michael Andrew Leighton          |
| Richmond      | Richard William Wynne            |
| Ripon         | Jochen Helper                    |
| Rodney        | Noel John Maughan                |
| Sandringham   | Murray Hamilton Ross<br>Thompson |
| Seymour       | Benedict Paul Hardman            |
| Shepparton    | Donald Kilgour                   |
| South Barwon  | Alister Irvine Paterson          |
| Springvale    | Timothy James Holding            |
| Sunshine      | Telmo Languiller                 |
| Swan Hill     | Barry Edward Hector Steggall     |
| Thomastown    | Peter Batchelor                  |
| Tullamarine   | Elizabeth Jean Beattie           |
| Wantima       | Kimberley Arthur Wells           |
| Warrandyte    | Phillip Neville Honeywood        |
| Warnambool    | John Adrian Vogels               |
| Werribee      | Mary Jane Gillett                |
| Williamstown  | Stephen Philip Bracks            |
| Wimmera       | Hugh Francis Delahunty           |
| Yan Yean      | André Haermeyer                  |

Members except honourable member for Burwood, 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 BATCHELOR** (Minister for Transport) — I move:

That Mr Alex Andrianopoulos be appointed Speaker.

I have no hesitation in recommending Alex Andrianopoulos as the Speaker of the Legislative Assembly. I believe the nomination, if carried, would produce a very fine and impartial Speaker for this important session of Parliament.

**Mr THWAITES** (Minister for Health) — I second the motion.

**Mr ANDRIANOPOULOS** (Mill Park) — I accept the nomination and express my deep sense of honour at being proposed as Chair.

**Motion agreed to.**

**Clerk declared honourable member for Mill Park duly elected as Speaker.**

**Mr Andrianopoulos conducted to chair by proposer and seconder.**

**The SPEAKER (Hon. Alex Andrianopoulos)** — Mr Premier, Leader of the Opposition and honourable members: it is with great honour and humility that I accept your nomination as Speaker of the house. I feel I have been a blessed human being. I was first honoured when Australia accepted me as a migrant and subsequently granted me citizenship. The people of Mill Park, and prior to that the people of St Albans, saw fit to accord me a second honour by electing me as their representative in Parliament.

You, my colleagues, have today seen fit to put me in the chair. I understand the enormity of the job. I appreciate that a Speaker must be impartial at all times and uphold the traditions of the Westminster system. Another essential quality in trying to do the job, particularly now that Parliament is so evenly balanced between the parties and the Independents, is that of commonsense. A long time ago one of my school teachers, a Mr Stan Hope, dubbed me a reasonable man. I hope I can live up to the standard and to the tag that I am a reasonable man because I believe, over the coming weeks, months and years, I will be called upon many times to make a fair and rational judgment. I pledge that I will do my best to achieve that aim.

**Mr BRACKS** (Premier) — On behalf of Parliament and the Labor Party I congratulate you, Mr Speaker, on your election. You said your schoolteacher dubbed you a reasonable man. Any honourable member who knows of your efforts and work as the member for Mill Park will agree with that comment. You have conducted yourself impartially, both in the position of Acting Speaker and in your dealings with honourable members from all sides. I have nothing but praise for your election as Speaker. You have my pledge that the

government will respect the Westminster system and adhere to the principles of your judgments. We look forward to working closely with you in the future.

**Dr NAPTHINE** (Leader of the Opposition) — On behalf of the opposition I also congratulate you, Mr Speaker, on your nomination, selection and elevation to the high office of Speaker. It is a great tribute to your personal qualities and to the electors of Mill Park. On behalf of the opposition I pledge that we will work with you in a cooperative and sensible way to ensure an effective Parliament for all Victorians.

**Mr McNAMARA** (Leader of the National Party) — I join with my colleagues the Premier and the Leader of the Opposition in congratulating you on your appointment. It is a great honour to you personally and it recognises the role of migrants in the Victorian community over a long period. It was probably last century that a migrant was previously in the Chair, and most likely that person had a background similar to that of my great grandparents rather than one from another part of Europe. Honourable members recognise the work you have done as both an Acting Speaker and an Acting Chairman of Committees. They also recognise that this will be a difficult period for you because Parliament is finely balanced. It will require commonsense from the Chair to ensure that Parliament operates effectively and the views of the Victorian public are expressed fairly in the chamber.

I wish you every success in the position, a role I am sure you will fill well. On behalf of the National Party I congratulate you on your elevation to such a senior position.

**Mr COOPER** (Mornington) — Mr Speaker, I join with other honourable members in congratulating you and wishing you well in your task as Speaker in what has already been referred to as a finely balanced house. I am sure the role will be testing and one that, from time to time, you will probably wish you had not taken on. As the Leader of the Opposition has said, opposition members pledge to cooperate with you and hope your role will be a happy and fruitful one.

As you will recall, between 1992 and 1996 you and I were members of the Public Bodies Review Committee. When one is a member of a joint parliamentary committee one gets to know well people on the other side of Parliament. Mr Speaker, prior to 1992 you and I had not got to know each other well, but between 1992 and 1996 I came to appreciate what your teacher said about you — that is, that you are a fair man. I am sure you will carry that on in your role as Speaker over the next term of Parliament. I again

congratulate you and express the hope that your term as Speaker will be happy and fruitful.

**Mr BATCHELOR** (Minister for Transport) — Mr Speaker, I join with all honourable members in congratulating you on your election. I felt great pride in having the honour of nominating you for such an important position. Having an adjoining electorate and having worked closely with you, I know as well as anybody in this chamber how thorough, thoughtful and considerate you will be as Speaker. I look forward to your administering this house impartially and fairly in the years ahead. I sincerely join with everybody here in congratulating you. I am elated. It is a great result.

**Mr BRACKS** (Premier) — Mr Speaker, I have to inform the house that I have ascertained that His Excellency 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 2.32 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 His Excellency the Governor as the choice of the Legislative Assembly and that His Excellency was pleased to address me in the following terms:

Mr 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 members of the Legislative Assembly who, in their wisdom, have selected you as Speaker.

I have confidence that you will fulfil the duties of the distinguished office and hold fast to its traditions and customs.

Sir James Gobbo, AC  
Governor of Victoria

## OPENING OF PARLIAMENT

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

**Members, led by Speaker, proceeded to Council chamber.**

**Sitting suspended 2.38 p.m. until 5.07 p.m.**

## RESIGNATION OF MEMBER

**The SPEAKER** — Order! I advise the house that I have received a letter dated 3 November from the honourable member for Burwood, the Honourable J. G. Kennett, MLA, which states:

I wish to inform you of my decision to retire from the Victorian Parliament effective from today's date, Wednesday, 3 November 1999.

This has been a very difficult decision after 23 years of parliamentary service, while representing the citizens of my electoral district of Burwood.

My decision follows a long tradition by former Liberal premiers Bolte, Hamer and Thompson who, on identifying their successors, immediately retired from the Parliament.

I believe there is merit in that tradition being continued.

It has been a great honour to have served as a Victorian parliamentarian.

I leave having served in many positions within the Parliament, the last seven years as Premier of this great state.

I remain very proud of the new Victoria that we have all created, and hope that the confidence, quality and growth that now exists continues into the future.

To the staff of the Parliament, my electorate assistant, Sue Green, my personal staff while in office and the wonderful members of the Victorian public service I thank them for their friendship, professionalism and service over many years.

To my Liberal colleagues, former and present, I thank them for the faith that they have placed in me to lead the party for the best part of 16 years.

To all parliamentarians, I wish you the very best in your deliberations on behalf of the people of Victoria.

I leave you enormously proud of our achievements over the years, but prouder still of the state of Victoria and its people.

I remain convinced there is no greater service than public service.

For now, have a good day.

Regards,

Jeff Kennett

## CONDOLENCES

**William Laurence Floyd, OBE**

**Mr BRACKS (Premier)** — I move:

That this house expresses its sincere sorrow at the death of William Laurence Floyd and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Williamstown from 1955 to 1973.

William Laurence Floyd, known as Larry, was born on 13 July 1908 at Broken Hill, New South Wales. Following a long illness he passed away peacefully on 6 October at the age of 92. He was the only son of William and Jessie. His father was a miner in Broken Hill. After attending Broken Hill Central School he finished his schooling at Williamstown, which became his home, and began his long association with its people. He was apprenticed as a compositor and worked for various organisations before entering Parliament.

From a young age Larry was a devoted football fan and player. In 1924 he played in the seconds for the Williamstown Football Club. His lifelong association with the club continued after his playing days — he was secretary for a total of nine years between 1935 and 1949 — and later the club named the Floyd Pavilion after him. Several times I had the privilege of visiting Larry as a former member for Williamstown at his home in Verdon Street. The meticulous records he kept on the football club were second to none — they were well kept in his lounge room, and anyone who knew him would know the detail he went into — and the club has benefited from his donation of those records, photographs and other memorabilia of his period as secretary. They are now housed at the club's headquarters. That is a lesson for all honourable members on the meticulous side of Larry Floyd's nature.

Larry's love of football led him to become the first full-time secretary of the Carlton Football Club, a position he held for five years. He also had an interest in the history of Williamstown and was the founding member and president of the Williamstown Historical Society. His desire to help Williamstown residents began long before his election to Parliament. As a Williamstown city councillor he was the first local politician to fight for a Yarra crossing. His campaign for a crossing over or under the lower Yarra River began in 1945 and eventually led to the building of the West Gate Bridge. He was once quoted as saying, 'I can look back and remember that I had something to do with it'.

In 1955 Larry was elected to the Victorian Parliament as the member for Williamstown. He continued to serve the people of the electorate in that capacity until 1973, the year he was awarded an OBE. He served as a

member of the Public Works Committee from 1964 to 1973, the Subordinate Legislation Committee from 1955 to 1961, and the House and Printing committees. He was secretary of the parliamentary Labor Party from 1961 to 1970. He retired from parliamentary life in April 1973, having served the constituents of Williamstown loyally for 18 years.

On behalf of the government, I extend my condolences to Larry's surviving family and his many friends in the Williamstown area.

**Dr NAPHTHINE** (Leader of the Opposition) — I rise to add my condolences on the passing of William Laurence Floyd, the member for Williamstown from 1955 to 1973.

Larry served Parliament as a member of many committees: the Public Works Committee from 1964 to 1973, the House and Printing committees from 1953 to 1964, and the Subordinate Legislation Committee from 1955 to 1961. He had a broad commitment to Parliament and the many aspects of parliamentary life.

As the Premier said, Larry Floyd was born on 13 July 1908 at Broken Hill, New South Wales, and died at the age of 92 — a wonderful record. He was educated first at Broken Hill Central School and later at Williamstown State School.

Prior to entering Parliament he was a compositor apprenticed to Renwick Pride. Mr Floyd came to this place from the Government Printing Office. He was actively involved as a board member of the Printing Industry Employees Union.

As the Premier said, Mr Floyd's great love was football, particularly the Williamstown and Carlton football clubs. Mr Floyd commented in the *Williamstown Advertiser* of 28 March 1984:

I love football, it's in my blood. I don't know why.

The article further states:

In 1924, wearing the colours blue and yellow, the slow half-forward (they're his words) played for Williamstown seconds ...

Mr Floyd's greatest contribution to the Williamstown Football Club was through his role as an administrator — secretary of that club and later of the Carlton Football Club.

In addition to keeping meticulous records he wrote a history of the Williamstown Football Club and the Victorian Football Association which is also a social commentary on the VFA and on Melbourne of the

period. Mr Floyd will be well remembered for his contribution.

The Premier mentioned Mr Floyd's love of research and keeping things in order. There is a story about Larry Floyd: at one stage he was doing some research in the parliamentary library and locked himself into a cubbyhole — still there today — off the stairway. He was still there some hours later when Parliament shut down and found he could not get out so had to ring for someone to come back to Parliament House to let him out. That story demonstrates his dedication and love for the research he was doing.

Larry Floyd was a traditional member of Parliament and a traditional Labor Party member — a great servant of the local community. He was involved in the local football club, the Williamstown and Footscray District Cricket Association and the Williamstown Historic Association. He was also a member of the State Relief Committee.

Before entering Parliament he was also a Williamstown councillor. Good sources have advised me that one of the reasons he joined the council was to get a better deal for the Williamstown Football Club. It was the force that drove him into local government, then to state politics. That says a lot about traditional members of Parliament from that era.

It is with regret that we acknowledge the passing of Larry Floyd. I pass on my deepest sympathy and that of the Liberal Party to his surviving family and friends.

**Mr McNAMARA** (Leader of the National Party) — I join the Premier and the Leader of the Opposition in the condolence motion for Larry Floyd.

I am surprised that Larry was 92, because I can remember him coming back to visit Parliament even in recent years. He regularly attended the former members group that met here and was a great friend of people such as Carl Kirkwood, Gordon Stirling and others whom members would know well. After their meetings, if you were anywhere near them, it was pretty hard to get past without being offered a complimentary glass of port.

Mr Floyd was an affable character. His involvement with the Carlton Football Club shows that he was a person of impeccable taste in football, and I compliment him on that. As we know, he gave 18 years service to the Victorian Parliament and was a character very much of the traditional Labor school: a person from a blue-collar background who was passionate about Labor politics at the grassroots level. Some of those characters have been lost over the years.

As we have heard, Larry Floyd's passion was football, and he particularly loved the Williamstown and Carlton football clubs. His ideal species would have been a blue seagull. He came from a strong trade union town, having been born and bred in Broken Hill, and that obviously had an influence on him, determining his politics at an early age. He proceeded to make a long contribution to this Parliament.

I do not think anyone in Parliament today served with him, but those of us who met him when he visited found him to be an affable individual who was interested in talking about the history of politics and football or about the other interests he had in life.

On behalf of the National Party I join with the Premier and the Leader of the Opposition in extending my condolences to the members of his surviving family.

**Ms KOSKY** (Minister for Post Compulsory Education, Training and Employment) — I join with other honourable members in expressing my sorrow and the sorrow of the people of Altona at the passing of Larry Floyd. Many honourable members will know that the Legislative Assembly seat of Altona was created in the 1992 redistribution and that formerly much of my electorate was represented by previous members for Williamstown.

The people of Altona speak in glowing terms of Larry Floyd. Although I did not know him personally, he is well remembered in the Altona community. As have many other members of this place, he demonstrated strong links with his local council before moving on to become a member of Parliament. He also had strong links with football.

I have a story about Larry and his interest in research. He undertook detailed research of the Williamstown Football Club and on one occasion visited the parliamentary library to type out football results from the various newspaper articles he found dealing with the club. He kept all that information under his bed because he was worried that no one else would treat it with the same respect. Just before his health deteriorated he passed on a lot of the information to Bruce Davidson, the Parliamentary Librarian, who is now considering how it should be looked after and eventually passed on to organisations that are interested in the history, such as the football club and the City of Hobsons Bay.

Along with other honourable members, I pass on my condolences to the family of Larry Floyd.

**Mr BATCHELOR** (Minister for Transport) — I join with all members of the house in expressing my

condolences to the family and friends of the late Larry Floyd on his recent passing. Larry Floyd was born on 13 July 1908 and died on 12 October 1999. He was known as Mr Williamstown. He was a councillor for the former City of Williamstown from 1945 to 1962, a total of 17 years. In 1953 he was made a justice of the peace and in 1973 he was awarded an Order of the British Empire.

As honourable members have already said, he was a fanatical football fan. He was interested in football not only at the senior level, as secretary of the Carlton Football Club, but also at the local level, as is evident from his membership of the Williamstown Football Club. He was secretary of the club in the late 1930s. He was a keen historian and was a member and secretary of the Williamstown Association during the 1940s.

Larry was a compositor by trade, worked at the former Government Printing Office and became a member of the Printing Industry Employees Union.

He was a keen fighter for the resolution of the access problems experienced in crossing the Yarra River by people living in the west of Melbourne. As early as 1945 he was instrumental in campaigning for a crossing over or under the lower Yarra River. Although the final decision was to build a bridge, Larry originally wanted a tunnel under the Yarra River because he thought it would be the best way of solving the problem. At that time the ferry was expensive to operate and as a local councillor he was acutely aware of the problem. It is interesting to reflect on whether he would still be strongly in favour of a tunnel given the success of the West Gate Bridge and the contemporary problems with other tunnels being built to alleviate traffic problems.

He supported the final recommendations of the then Public Works Committee in 1955 for a bridge across the river because it would be more economical. For many years he was proud to look back at the success of the bridge.

In conclusion, I acknowledge how close a friend and companion he was of the late Gordon Stirling.

**The SPEAKER** — I join with honourable members in expressing my sorrow at the passing of William Laurence Floyd. Although I did not know him as well as many other honourable members, I knew of him, and as a number of members have said, he was held in the highest regard by his local community. He served for a long period with distinction. I express my condolences to his family at his passing.

## Gordon Francis Stirling

**Mr BRACKS** (Premier) — I move:

That this house expresses its sincere sorrow at the death of Gordon Francis Stirling and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Williamstown from 1973 to 1988.

Gordon Stirling was born in Geelong on 28 December 1924. He died at the Werribee Mercy Hospital on 11 June this year at the age of 74. He was the son of Gordon and Manuella. His father was a fisherman and Gordon shared his love of the sea. Given Williamstown's rich maritime history it was appropriate that he went on to represent the Legislative Assembly electorate of Williamstown.

Gordon grew up during the depression and as a teenager witnessed the strangely profound impact that the Second World War had on a country geographically distant from the conflict. Gordon was too young to serve his country at that time, and his decision to join the Royal Australian Navy would have been tied to the strong sense of patriotic duty we associate with Australians of his generation. He served in Korea, and left the navy as a petty officer after 12 years. He married Betty on 8 April 1950. They had two children, a daughter, Kay, and a son, David, who is now deceased. Following his departure from the navy he worked as an oil refinery operator. His interest in the welfare of co-workers led to his active involvement in the union movement. He became an official of the Federated Storeman and Packers Union. He was also secretary of the Altona Workingmen's Club and became a life member.

Gordon joined the Australian Labor Party in 1962. He was the classic Labor man, a true believer, whose politics was on the far left of the political spectrum. He was proud to be a member of both the Australia-USSR Friendship Society and the Congress for International Cooperation and Disarmament. He entered Parliament as the member for Williamstown in May 1973.

Gordon was an active local member who took great pride in Williamstown. He was involved in numerous local organisations, including the Williamstown Historical Society and the Williamstown branch of the Returned and Services League, and he was a member of the Williamstown Hospital board. Gordon was also a member of the Altona Historical Society and the Yarraville Club.

Gordon was regarded as a gentleman by all who knew him. However, any attempt to denigrate his beloved

Williamstown would provoke a spirited defence. He would not allow his civic pride in Williamstown to be undermined. He was indignant when, while representing the former SEC at an appeals hearing before the environment protection appeals board, Mr George Griffith, QC, described the Newport–Williamstown–Altona area as 'sordid'. Gordon responded by taking a journalist from the *Herald Sun* on an historic boat cruise around Williamstown to prove otherwise.

His depth of feeling could also be aroused whenever the union movement came under fire from his conservative opponents. On one occasion in the house Gordon was named by the Speaker for his heated response to such an attack. Fortunately he calmed down and avoided being evicted from the chamber — something you would appreciate, Mr Speaker. I am sure you will show the same tolerance.

Gordon Stirling served on the Public Works Committee from 1976 to 1982 and the Salinity and Printing committees from 1974 to 1983. Given his background, it is not surprising that he took a particular interest in water quality. He was a member of the Victorian Institute of Marine Sciences board and took part in the national marine pollution monitoring pilot program. Unfortunately the lure of the sea exacted a personal toll on Gordon when, on a sampling cruise for the program, he sustained head injuries during a bout of heavy weather.

Gordon retired from parliamentary life in 1988, having loyally served the constituents of Williamstown for 15 years. It should be noted that, as a past member of Parliament, Gordon also met regularly with Larry Floyd, to which the Leader of the National Party will attest. They were often seen in the Parliament, and they also had regular monthly meetings in Williamstown with other friends and associates. They kept up that association throughout their retirements.

On behalf of the government I extend condolences to Gordon Stirling's family, including his wife Betty and daughter Kay and her family.

**Dr NAPHTHINE** (Leader of the Opposition) — I support the condolence motion moved by the Premier. Gordon Francis Stirling served as the member for Williamstown from 1973 to 1988. He served on the Public Works Committee from 1976 to 1982, the Salinity Committee from 1982 to 1985, and the board of the Victorian Institute of Marine Sciences from 1976 to 1986. As the Premier has said, those facts highlight Mr Stirling's commitment to and understanding of issues relating to water quality, the sea and the

management of Victoria's water resources. That was appropriate, given his representation of the electorate of Williamstown.

Mr Stirling also served for 12 years in the Royal Australian Navy. In that time he undertook active duty in the Korean campaign as a petty officer. It is important that Parliament acknowledges those members who have served in the armed forces, particularly in campaigns such as the Korean War. The number of honourable members who have seen active service is decreasing. Today's honourable members are more removed than their predecessors from the contributions those people made, whether in the Second World War, the Korean War or the Vietnam War. Active service represents a high level of service to the community, and that reflects well on Gordon Francis Stirling in particular and the house in general.

Mr Gordon Stirling was born in Geelong on 28 December 1924 and died on 11 June 1999. As the Premier said, he was a quintessential member of the Labor Party in the traditional mould. He was a former official of the Federated Storeman and Packers Union and was heavily involved in a number of labour and associated organisations. As the Premier also outlined, he was named by the then Speaker when the then Minister for Labour and Industry, Mr Ramsay, attacked the trade union movement, suggesting that standover tactics had been employed in a particular activity. That riled Mr Stirling, who objected vehemently, joined by his colleague Bill Fogarty. It took some argument from Bob Fordham, the then manager of opposition business, and the Premier of the day, Sir Rupert Hamer, to have the motion to name Mr Stirling withdrawn so that his unblemished record remained intact. That incident shows that Mr Stirling was passionate about his commitment to the union movement and all the issues associated with it.

As the Premier said, Gordon Stirling was the secretary of the Altona Working Men's Club, subsequently becoming a life member. He was a member of the Australia-USSR Friendship Society. He also served on the board of the Williamstown Hospital and was a member of the Williamstown branch of the Returned and Services League, the Williamstown Historical Society, the Altona Historical Society and the Yarraville Club, which shows his broad range of community interests.

Mr Stirling served the house and his community well. On behalf of the members of the Liberal Party, I pass on our condolences to his wife, Betty, his daughter, Kay, and his two grandchildren.

**Mr McNAMARA** (Leader of the National Party) — I join with the Premier and Leader of the Opposition in supporting the condolence motion for Gordon Stirling. I served with Gordon during my first six and a half years in this place. As both the Premier and the Leader of the Opposition have said, he was one of those characters with strong passions and fierce loyalties, and like those characters, if he did not get on with people he was fierce about that as well.

One group that many honourable members will remember — and Gordon was certainly one of them — included Carl Kirkwood, the then honourable member for Preston; Bill Fogarty, the then Deputy Speaker; Tommy Edmunds, the then Speaker; and Neil Trezise and Frank Wilkes, who were both Labor government ministers. They were very close, and they all had military service backgrounds, which was one of the common bonds they shared. They were a little to the right of Bruce Ruxton on many issues. While we have talked about Mr Stirling's association with the Soviet Union, the group probably had more conservative views on many social issues than Bruce might have expressed! They were all outgoing and engaging characters. Regardless of what side of the political fence you were on, once you got to know them you were welcome to join them for a cup of coffee or a social drink.

I remember on a number of evenings being invited into the Speaker's or the Deputy Speaker's chamber to discuss the events of the day or the week. In that company they would clearly put their views on either members of my side or their own colleagues in the only fashion in which they could express them! Gordon was probably one of the more moderating influences compared with the others in the group. They often sat in the dining room at a table that was meant to seat only six.

All of them were blue-collar Labor people who felt passionately about people from working-class backgrounds, because they believed those people were what Labor was all about. They often talked in disparaging terms about chardonnay socialists. All of them were people you could not help but warm to, and although we came from different backgrounds, we got on famously.

**Mr Batchelor** interjected.

**Mr McNAMARA** — It was red wine, actually. Gordon was proud of his naval background. As members have heard, he served for 12 years in the Royal Australian Navy as a chief petty officer — in fact he was a gunnery officer, as he used to tell us regularly.

He went on to become a trade union organiser with the Storemen and Packers Union, building links with people such as Bill Landeryou. Those links continued when they served in Parliament together.

He also believed in the importance of the family. I remember him telling us how he bought two blocks of land, one for his son and one for his daughter, in the hope that they would have something to start their married lives by building homes on. His son went to live in London. Before he unfortunately died about 10 years ago he used to regularly send back videos on what was happening politically in the United Kingdom so Gordon could be kept up to date. When Australian Football League games were played over there, he sent back videotapes of the action for Gordon's enjoyment.

Those members of Parliament who served with Gordon — and there are a number — will remember him fondly.

I join with the Premier and the Leader of the Opposition in extending my condolences and those of the National Party to his family.

**Ms KOSKY** (Minister for Post Compulsory Education, Training and Employment) — I, too, join with my parliamentary colleagues in expressing sincere sorrow at the death of Gordon Stirling and gratitude for the valuable services he has rendered to this Parliament.

Gordon, like Larry Floyd, was very concerned about the people of Altona, having represented a large section of the electorate now known as Altona when he was the honourable member for Williamstown. He served the Legislative Assembly in the electorate of Williamstown from May 1973 until 1 August 1988, a period of 15 years.

He was born in Geelong in 1924 and died on 11 June of this year in the Werribee Mercy Hospital. He lived in Altona and had a strong involvement with and commitment to the local community. I attended his funeral along with other honourable members, past and present, of this Parliament and parliamentary staff.

At his funeral people spoke glowingly and lovingly of Gordon and reflected on some of the antics he used to get up to. Some honourable members will know his close colleagues Joan Coxsedge and Bill Fogarty, two of the people who attended the funeral. Both of them enjoyed telling a few stories at the end of the service.

The local newspapers commemorated Gordon in the weeks following his death. They relayed quite a few stories to the people of Altona and Williamstown.

As we have heard, Gordon had a real interest in the sea. It began with his father and was reflected in his joining the navy. He had a continuing interest in maritime history as well as in the numerous organisations with which he was involved.

Gordon married Betty on 8 April 1950 and they had two children, one now deceased. At Gordon's funeral his family spoke very lovingly of him. He was a strong family man as well as a good leftie, as many of us would say.

He was on the left in politics and was a staunch unionist, becoming an official of the Federated Storemen and Packers Union. He was proud to say that he was a member of the Australia-USSR Friendship Society as well as the Congress for International Cooperation and Disarmament. He would have been significantly ribbed by others in politics for those strong associations.

He was secretary of the Altona Workingman's Club and became a life member. That club is important to the community of Altona. It links in well with the Altona community and many of us use it for a range of different functions and activities. The car park is always full on Friday and Saturday nights. Gordon had a strong involvement with the club.

He was also a member of the Altona Historical Society and was one of those who built up the written history of Altona. Prior to that the history of Altona had always been considered — with apologies to the Premier — part of the history of Williamstown. The people of Altona are proud of their own history.

I join my parliamentary colleagues in extending my condolences to the family of Gordon Stirling, his wife, Betty, and daughter, Kay, and to their families.

**Mr SMITH** (Glen Waverley) — I wish to offer my condolences to the family of Gordon Stirling.

When I entered this house in 1985 Gordon, the other honourable members mentioned earlier and Tom Austin from the Liberal side of the house were all strong in their support of returned servicemen like me. It was a bond that had built up and it went beyond politics.

All of them were extremely vocal men. Gordon Stirling, Bill Fogarty, Tom Austin and Tom Edmunds were all keen to push the idea of freedom — an idea going out of fashion at the time — and particularly the freedoms they had fought so hard to keep for Australia.

As well as that, they were men who understood. Gordon was the leader, the wise old force behind them, the one who would ensure loyalty and similar values were given back to the Parliament. They were anxious to make the point that loyalty must be given doubly from the top down; that only in that way will a person gain the respect that is necessary to give loyalty upwards.

The values Gordon espoused will make his family proud. People who knew Gordon and his team gained an affinity with him. Gordon and his group at all times stressed that it is possible for people to forget about the freedoms we have and how easily they can be forgotten.

I extend my condolences to Gordon's family and friends.

**Mr BATCHELOR** (Minister for Transport) — I join with honourable members from both sides of the chamber in expressing condolences at the death of Gordon Stirling.

Gordon Stirling was born in December 1924 and died in June of this year. I knew him when I had the honour to be secretary of the Labor Party during part of the time he was the honourable member for Williamstown.

Gordon had a reputation for being a quietly spoken man with a droll, dry sense of humour. There were, however, a number of things about which he was passionate, and several honourable members have referred to those matters.

My memory of Gordon Stirling is that he was deeply passionate about the sea. He contributed to the development of an effective national marine pollution monitoring program and also to studies of Bass Strait. He took part in a sampling cruise for the national marine pilot monitoring program in which data was collected to ensure the compilation of accurate maps — substructures were measured; textures, sediments and rocks were properly collected and stored; and the sea floor was photographed.

Because of his passion for the sea, which was so important to him as the honourable member for Williamstown, Gordon Stirling was a member of the Royal Australian Navy for 12 years, during which time he served in Korea.

He was also passionate about Labor politics and trade unions. As was said earlier, he was an official and a life member of the Federated Storemen and Packers Union of Australia, and he was prepared to defend trade unions in the chamber when they were under attack —

even to the extent of being threatened with being named and thrown out.

The last passion of his that I observed involved the friends he made in this Parliament. As the Leader of the National Party said, he was one of a close group of members of Parliament who socialised with and supported each other in Parliament, in the Labor Party and in the community. Personal relationships between parliamentarians are not common these days. Relationships between parliamentarians are now much more professional, so parliamentarians do not often form deep, genuine and friendly relationships. Despite being a quietly spoken man Gordon was passionate in defending the friendships he made during his time in this Parliament, and after his retirement he maintained those friendships through the former parliamentarians association.

I join all honourable members in expressing my condolences to his wife, family and friends.

**Mr COOPER** (Mornington) — I join other honourable members in expressing my condolences at the death of Gordon Stirling.

When I came to Parliament in 1985 I was confronted by an interesting group of people who took the chair, not the least of whom, of course, was the former Speaker, Tom Edmunds. The Acting Speakers, including Gordon Stirling and Carl Kirkwood, and the Deputy Speaker, Bill Fogarty, were a fearsome group. If I remember correctly my first seat in the chamber was the one in which the honourable member for Monbulk is now sitting, so I was in their firing line, and — although I am a quiet, shy and retiring type of person I tended to interject on occasion. As has been mentioned, Gordon Stirling was a gentleman, and one could honestly say that he was a calming influence on the people I have referred to. Although on occasion they may not have appreciated that calming influence, it was necessary from time to time because when people like Bill Fogarty and Carl Kirkwood get their heads together — sometimes over a drink or two — anything can happen. Some things I have witnessed inside and outside the chamber may become a chapter in my book — I am sure one of the things I witnessed will be!

Gordon Stirling was a person who never stepped out of line in the chamber, and he was a stickler for seeing that the right thing was being done. I can say that as an Acting Chairman of Committees and an Acting Speaker he upheld the dignity of Parliament, which is reflected in the remembrances of him we have heard today.

I had an interesting conversation on naval history with Gordon over a long period — it continued for several months. From time to time the new members in the house will be called upon to present the Victorian flag to institutions in their electorates, and when they do they will find that the significance of the flag lies in its history. The official history of the flag is that it was first flown on board HMVS — Her Majesty's Victorian ship — *Nelson*. As it sailed down the bay the dignitaries on board gave three hearty cheers as the flag was hauled up the flagpole and, I assume, also threw their hats in the air — as they did in those times. It all sounds very grand.

Like many honourable members I regaled various audiences in my electorate with that story. However, after I referred to the story during debate in the chamber Gordon said to me, 'That is wrong, and I can tell you why'. His knowledge of naval and maritime history was significant. When he told me that pieces of HMVS *Nelson* were still to be found in and around Williamstown I became even more interested in his re-telling of history. He told me that it was his aim to have the official history rewritten so that it was absolutely accurate.

Gordon Stirling was a man of many parts — he was a man of dignity and he was a man of culture. I extend my condolences to his family.

**Mr BRUMBY** (Minister for State and Regional Development) — I join with other honourable members in expressing my condolences to the family of Gordon Stirling.

Although I did not know him well, I first met Gordon in 1978 when I was the Labor candidate for the seat of Midlands in central Victoria. At that time a succession of members of the state parliamentary Labor team and shadow ministers visited the Midlands electorate in the hope of winning it. We did not win the seat in 1979, but we went close. Because I could not win the seat I went to Canberra! Gordon Stirling visited the electorate on a number of occasions.

He was a fine man who made a long-term contribution to the ALP. As other speakers have remarked today, he was a person with a great sense of decency; he was quiet and punctual; and he was careful with detail.

In the end I saw more of Gordon Stirling in the federal electorate of Midlands than I expected to due to the fact that Bill Fogarty used to visit the area during the time he was the shadow Minister for Agriculture. On the first visit Bill turned up at about 7.30 a.m., which was pretty early for me — I was only a young fellow at that

stage. We made a series of visits around the electorate and at about midday Bill said, 'Johnny, I've got to go down to Golden Square to catch up with a bloke there. I'll be back in an hour'. I sat at campaign headquarters and watched 2 o'clock, 3 o'clock and 4 o'clock come and go while Bill caught up with a few of his mates at the Golden Square Hotel!

The second time Bill came the same thing happened. I spoke to a few people in the Labor Party — Tom Roper and others — and they suggested I should invite Gordon Stirling along as well. After that, on every occasion when Bill Fogarty came to visit Bendigo and the Midlands electorate Gordon Stirling came with him. Under that arrangement Bill would arrive at 8 o'clock in the morning and would not catch up with his mates at the Golden Square Hotel until 4.00 p.m. I have always been indebted to Gordon Sterling for that. Like other honourable members today, I express my sincere condolences to his family and friends.

**The SPEAKER** — The Chair joins with honourable members on both sides of the house in expressing sorrow at the passing of Gordon Francis Stirling. I had the pleasure of serving with Gordon between 1985 and 1988. As was said earlier, Gordon was indeed a character, albeit the quietest of characters, in that group affectionately known as the Shellbacks. Gordon had the most admirable loyalty, particularly to his electorate, the Labor Party and his friends. Woe betide anyone who made disparaging remarks about any of the Shellbacks! Gordon served his constituency well, and he also served this country well as a serviceman. I express my condolences to his wife, Betty, and his daughter, Kay.

### **Frederick Peter McLellan**

**Mr BRACKS** (Premier) — I move:

That this house expresses its sincere sorrow at the death of Frederick Peter McLellan and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Frankston East from 1992 to 1999.

Peter McLellan was born on 20 October 1942 and died suddenly and regrettably of a heart attack in the early hours of Saturday, 18 September 1999, the day of the Victorian state election. He was only 56 years of age.

Peter entered Parliament as the elected member for Frankston East in October 1992, and will be remembered for his integrity. Peter was a straight shooter; an honest man who became an outstanding politician. His re-election slogan, which he lived up to and which appeared around the electorate, was 'the

People's Pollie'. Peter was committed to helping people and was a tireless worker for his constituents. His demanding work regime no doubt took a toll on his physical wellbeing and contributed to his untimely death.

The son of Frederick and Catherine McLellan, Peter was raised on a housing commission estate in East Reservoir in an area known locally as Little Chicago. In his inaugural speech to Parliament, Peter recalled it as 'a rough and tumble estate where several of the residents alternated between their home addresses and the bluestone college at Coburg'!

Peter was educated at the Holy Name Catholic Primary School in East Preston and at Taylor's College. He left school at age 15 to take up an apprenticeship at the Rhodes Motor Company. He later worked as a laboratory assistant at Melbourne University before joining the army in 1961 at the age of 19. He served in Malaysia, Thailand and in 1966–67 with the 2nd Field Ambulance as a medical orderly.

After returning from Vietnam, Peter met his future wife, Trish Foley, in Queensland. When they married he left the army and drifted through a number of jobs, including being a port emergency service ambulance driver, a part-time tow-truck driver and a car repairer, before joining the RACV as an on-road patrolman — which was when I understand his association with the honourable member for Mornington started. He served in that capacity in two stints for about seven years before becoming a small businessman running wrecking and used-car yards. Peter was very proud that he was never taken before the fair trading tribunal in any matters associated with those businesses.

At home Peter was notorious for his commentaries on the state of the world when he watched the evening news. He eventually took up the challenge issued by his eldest daughter, Leanne, to do something about it and joined the Liberal Party in 1990. Peter rose through the ranks to become the vice-president of the Hastings branch of the Liberal Party from 1991 to 1992 and delegate to Flinders, Mornington and South Eastern electorate committees during the same period.

Peter was preselected for the seat of Frankston East in August 1991. He won the seat by the narrowest of margins — 0.2 per cent — in the 1992 election, and — as many members on this side of the house remember — in 1996 he increased that margin to 3.2 per cent. We felt that very keenly on election night that year. It is a credit to Peter that he was able to do that because of his significant personal support.

Although Peter was known as a bit of a loner in this place, he determined early in his parliamentary career that he would make his presence count. His interest in road safety led him to become a member of the Road Safety Committee in 1992. Peter's outlook on life was shaped by an upbringing in a socially depressed working-class area. He had great empathy with the underdog and a strong social conscience. Peter became an effective voice for the needs and concerns of the people of Frankston East.

Peter's opposition to the previous government on a number of issues ultimately led to his resignation from the Liberal Party on 24 July 1998. As honourable members know, for Peter this was a matter of conscience and a decision he never regretted taking. I remember — as many members would — the anguish Peter went through before he made that decision when he was considering the Auditor-General's legislation and the difficulty he had in accommodating the wishes of his party on that matter. I believe that led ultimately to his decision to resign from the party of which he had been a member. Peter's courageous stance garnered him a great deal of admiration and respect from a large number of fellow parliamentarians and the public at large.

Peter was also an energetic anti-drugs campaigner who opposed the harm-minimisation approach adopted by most governments and was in favour of harsher sentences for traffickers and a police crackdown.

Following his resignation from the Liberal Party, Peter immersed himself even more deeply in his electorate and in constituency matters. He was a strong supporter of the disabled and a fighter for environmental issues. Mr Frank McCrohan, president of the Vietnam Veterans Association, remembers Peter as:

... level headed, with both feet on the ground. He was big on looking after Vets and getting them involved in local community projects. He could get above politics and his arguments were always well thought out and rational. He was a man of extremely strong principles.

Peter was the foundation president of the Frankston sub-branch of the Vietnam Veterans Association. He was a Legatee, a Catholic and a Freemason. He was also a member of the Mornington Peninsula Pistol Club and a member of the committee of management and appointed delegate to the Victorian Pistol Association in 1981. Peter was the chief range officer of the Victorian Pistol Association and a member of the Frankston RSL club and the Frankston Football Club VFA. As all honourable members can attest, Peter was also a keen bowler here at Parliament House.

On behalf of the government, I extend condolences to the family of Peter McLellan, including his wife Trish, son Richard, daughters Leanne and Maree, and their families, and to the friends of Peter McLellan, who are many and spread far and wide.

**Dr NAPHTHINE** (Leader of the Opposition) — I support the condolence motion moved by the Premier. Peter McLellan was known personally to many of us in this house. His premature and sudden passing was a great shock to us all and led to a period of great sadness for all those who knew him.

Peter McLellan served this Parliament as the member for Frankston East from October 1992 until his untimely death on 18 September this year. He was first elected in October 1992 by a very small margin of about 129 votes — one of the smallest margins in that election. It was always considered that he would be what is called in this Parliament a *oncer* — many times people said that Peter McLellan would serve only one term in this Parliament because Frankston East was naturally more of a Labor than a Liberal constituency. But Peter McLellan won the seat again in March 1996, with an increased majority.

With due respect to the Liberal Party and the Premier at the time, that increased majority came from Peter's hard work and personal vote in the electorate. We have just spoken on condolence motions for two former members for Williamstown, who were described as typical Labor members of the 1950s, 1960s, 1970s and even into the 1980s. Peter McLellan could hardly be described as a typical Liberal member of Parliament — indeed, he was atypical of Liberal Party members of Parliament. I think that was one of the keys to his success in Frankston East and in this house. He was true to himself and to his origins, and he certainly contributed in a positive way with passion and commitment to the causes he held dear.

As has been said, he was a member of the Road Safety Committee from 1992. Road safety was one of his passions. I remember well the number of lectures I got from Peter McLellan about the need to regulate the tow-truck industry — and he succeeded in that. It will be his lasting legacy that the tow-truck industry, which had been deregulated, was regulated again largely because of the work of Peter McLellan. New members of the house who sit on the back benches in government or opposition and wonder what a backbencher can do given what is often considered to be an executive-driven government can look to what Peter McLellan did to see what they can do in their local electorates and statewide to make a real difference.

Peter McLellan enlisted in the army and served in Malaysia and Thailand from 1963 to 1966 and in Vietnam from 1966 to 1967 as a medical orderly in the field ambulance division. That also says something about Peter McLellan — he was always there to help those in need.

When I was researching the history of Peter McLellan I looked at his inaugural speech in this house. It says a lot about what concerned Peter, what he was committed to and what he sought to deliver. When one reads his inaugural speech one sees that the issues he raised were based on his own history. As the Premier said, he talked about growing up in East Reservoir, going to the Holy Name Catholic Primary School in East Preston and Taylor's College and leaving school at the age of 15, when he went off to do an apprenticeship. He talked about how, through that process of growing up in East Reservoir and the Preston area, he understood and had an affinity with the people of the Pines in his electorate.

He said in his inaugural speech that when he doorknocked in the Pines he was absolutely appalled by the standard and condition of a number of the houses that were owned by the housing ministry at that time and provided for families to live in. He said that in his inaugural speech and pursued it. I know the Minister for Housing in the first Kennett coalition government, the Honourable Rob Knowles, was on a number of occasions dragged down to the Frankston East electorate, shown houses and told he had better get on and do something about them and fix the situation. The Honourable Ann Henderson, the Minister for Housing in the second Kennett coalition government, was similarly dragged down there on a number of occasions by Peter McLellan to fix what were seemingly small individual problems in houses in his electorate. He was committed to helping those in most need.

In his inaugural speech Peter talked also about education, but he talked about it in a different way from the way many people talk about it. He talked about the need to maintain good schools — with which all of us would agree — and raised particular examples of school maintenance that was needed. But he then talked about the need for education to encourage people to think of a diversity of occupations. He used his experience as an example, given that he had left school at the age of 15, had done apprenticeships and had worked in a number of occupations. In this house he said that he wanted people not to have the blinkered view that education through secondary school and into university or other forms of tertiary education was the only way we could help young people.

Peter talked about the need for education to be broad, to cater for technical skills that would encourage apprenticeships and provide people with a broad range of opportunities. He was passionate about technical education, having grown up in 'a difficult area', as he described it. Through his apprenticeship and army training he built a life for himself and his family.

Peter talked about the local economy and small business, and about being a small business operator himself. He talked about those things as being important in providing employment for the constituents of Frankston and Frankston East.

On a number of occasions in 1992 Peter expressed concern about the number of factories and small businesses that had closed in the Seaford-Carrum Downs area. He stressed the need to reopen them to get the economy moving and to provide opportunities for young people in their own local community.

As the Premier said, Peter joined the Liberal Party and got involved in politics after an incident that occurred several years ago. Peter used to get irate while watching television when various politicians — probably from both parties, knowing Peter — came on and commented on different issues. Peter, being a man of directness and action, would say, 'Why don't they do something instead of just talking about it!'. Finally his daughter said, 'Well, why don't you do something, dad? Why don't you get involved?'. So he did. Peter joined the Liberal Party, got involved in the community, won preselection and worked hard to get elected.

In his inaugural speech Peter also spoke about drugs and community violence. He was concerned about safety in the community. He wanted people to feel safe in their own homes and neighbourhoods. Peter believed that people who committed crimes should be appropriately punished by the courts and the authorities.

Peter had a firm view on the drugs issue. He was not soft on drugs. He had a strong commitment to the 'Say no' drug campaign and to vigorously prosecuting people who were peddling drugs. Peter was strongly committed to taking action against those who imported drugs into Australia and he certainly wanted to be strong in telling secondary and primary school students to 'Say no' to drugs.

Peter did not agree with the harm minimisation approach. He had great difficulty with some of the proposals of the former coalition government and the then opposition.

Peter's diverse range of interests gave him a broad base from which to represent the community. He was a former amateur boxer, a former member of the Peninsula Pistol Club, a member of the Committee of Management and appointed delegate to the Victorian Pistol Association. He was the chief range officer of the Victorian Pistol Association, a member of the Frankston RSL and the Frankston Football Club.

As the Premier has said, in Peter's campaign leading up to the election — which unfortunately had to be abandoned because of his death — he promoted himself as the people's pollie. As one of those who attended his funeral, together with members of this house and many members of the Frankston community, one could not help but be impressed by the expressions of support for Peter as an individual, as a hard-working local member, and as a person who was passionate and committed to making Frankston East and Victoria a better place.

In my former role as Minister for Youth and Community Services I recollect Peter having a great personal interest in services for people with intellectual disabilities. He often hammered on my door to ensure that Frankston East families who had children with intellectual disabilities were provided with adequate services. He was a broad-ranging, caring politician. He was truly the people's pollie.

It would be remiss of me not to comment on Peter's resignation from the Liberal Party. Peter McLellan was elected to Parliament as a member of the Liberal Party in 1992, and re-elected in 1996. He resigned from the Liberal Party in July 1998. There are several reasons for his resignation. I do not think he ever fully outlined all the reasons, but they involved the then government's position on the Auditor-General and concerns about the preselection process for Senate positions that took place at about that time.

Peter had a number of concerns about the manner and style of the former government, but it is important to record that he would not have made that decision lightly, and I, and I am sure all members of the Liberal Party, respect him for that decision even though we may have personally disagreed with it.

Through his continued representation of Frankston East as an Independent member of Parliament, Peter worked closely with various ministers to maximise the benefit for his constituents, particularly those in most need. That was always in the forefront of Peter's mind.

I pass on my condolences, and those of the Liberal Party, to Peter's parents, Frederick and Catherine, who

have both survived him; his wife, Trish; his children, Leanne, Maree, and Richard; and his four grandchildren.

**Mr McNAMARA** (Leader of the National Party) — I join with the Premier and the Leader of the Opposition in this condolence motion to Peter McLellan. The house has heard a fair bit about his background. Peter was educated through the Catholic education system and took on an apprenticeship at what would then have been a normal age of about 15 years. Peter also had some experience as a laboratory assistant at Melbourne University and by the age of 19 he was in the Australian Army.

Peter served in a range of areas overseas, including Malaya, Thailand and Vietnam. His range of occupations after he left the army included the tow-truck industry and a second-hand car business and wrecking yard. He was always particularly proud that he had never been brought before the fair trading tribunal, and perhaps few people in that industry can claim the same.

During his time in Parliament Peter raised a number of issues with me as minister. As other honourable members have said, in 1992 he won by the narrowest of margins — 0.2 per cent — a seat he was not expected to win, and in 1996 he managed to increase that margin, again when it was not expected. In debates on firearms ownership he expressed some passionate views on the regulations that should prevail. I am sure the honourable member for Mornington was also lobbied on the same issues.

Peter was active in shooting clubs and organisations, particularly pistol shooting, but he was part of a much broader brotherhood. Equally, he had strong views on the issues that should apply to long arms.

His involvement with the RSL was an obvious one. Peter was instrumental in the establishment of a group of Vietnam veterans in his area and was the group's first president. He was very keen to ensure that those members who had seen active service overseas had a forum to go to and that they were supported by groups such as Legacy.

Peter was involved in a range of community organisations, and he was passionate about his background in boxing. He spoke fondly of his days as an amateur boxer, and I can remember discussing with him the three years that I had at Ambrose Palmers and comparing an amateur gym with a professional gym. I met some interesting people there, including a chap who worked as a human relations consultant for Steve

Crabb, Gerry Fanning, who worked with me on some contracts and has now gone on to other roles. Mr Fanning was instrumental in constructing the grand prix.

Peter had a broad experience of life. Too many people today get into a narrow rut, mix with only one group of people and do not venture out of that group into different areas. One could never say that about Peter. He had a broad range of life experiences and met with people of all sorts — from people with blue-collar backgrounds to parliamentarians. He was involved with the RSL, sporting clubs and other organisations.

Peter was passionate about issues with which he had been associated, and he won the seat of Frankston East for the Liberal Party when no other person could have done so, and not only did he win it, he built on that vote after representing it for one term.

Peter became involved in politics because he felt a sense of frustration about what he saw being done and he wanted to have a say in turning things around. He had an impact on issues with which he was concerned.

I join with the Leader of the Opposition and the Premier in extending the condolences of the National Party to his wife, Trish, and family members.

**Mr SAVAGE** (Mildura) — I contribute to the condolences to show my respect for our former colleague, Peter McLellan. Peter was the honourable member for Frankston East, and he served the Parliament well. I am sure the irony of the supplementary election at Frankston East would not have been lost on Peter. He had a strong sense of conviction and was never afraid to speak his mind or express a strong view. It was a privilege to sit in the house with Peter, and I know he agonised over the changes to the Audit Act. He abstained from the vote when there was a division.

I attended Peter's funeral, as did many of his colleagues, and I was deeply moved by the service. I am sure many of us who attended were unaware of the extent of his community involvement and the issues Peter was involved in. The honourable member for Forest Hill made a significant contribution to the eulogy. Peter's own assessment was that he was the people's pollie, and I believe that is an appropriate description. Peter served well his country, the Parliament, and the people of Frankston East.

Peter's influence was not limited to his own electorate, and most of us would be aware of the hundreds of anti-drug CDs he made available to schools and to some of his colleagues.

I join with other honourable members in expressing my condolences to Peter's family and acknowledging the service he has given this country and this Parliament.

**Mr RICHARDSON** (Forest Hill) — I commenced my remarks at Peter McLellan's funeral by saying that it was a great honour to be asked to speak about my friend, but that it was an honour shrouded in melancholy. I went on to say that my friend Peter McLellan would not have wanted us to be consumed by grief. He would have said something along the lines of, 'Forgive me for my transgressions; remember me for my achievements'.

His achievements were considerable. As has already been established, he was not born with anything resembling a silver spoon anywhere — and certainly not in his mouth. His origins were humble and he was a battler, as were many family members. Peter left school at an early age and commenced an association with the motor trade that continued on and off for most of his life.

Peter served with great distinction in the Australian Army Medical Corps. He travelled to Thailand, Malaysia and Vietnam on active service, and I believe I am correct in recalling that he was one of a team of medics sent in after the battle of Long Tan to clean up the bits that were left. He often spoke to me about the horrors of that conflict.

Peter was very good at sport: he was good at running, football and cricket, and he was a very good boxer. He was also pretty good at choosing a winning racehorse. I never took his advice, which was silly of me because he was particularly good.

Peter was also a brilliant photographer; he had an artistic side that not many people knew about. Peter and I had many adventures together, and his camera was always with him. He took some marvellous photographs.

We spent time together on the Road Safety Committee, which I had the honour to chair. Because of his background knowledge of trucks, motor cars, taxis and tow trucks he brought with him a practical experience of the real world that the parliamentary committee was inquiring into. He was the only member who fully understood the reality and the practicalities of the inquiry, and his contribution was substantial.

It is important to refer to Peter's sporting interests, particularly in his electorate, where he was president of various sporting organisations. He had an interest in shooting and was a very good shot. He had a continuing interest in service to his community through the

Vietnam Veterans Association of Australia, the RSL, and the anti-drug campaign that he led.

Peter gave a lot to his community, and it is for that reason that he won a seat he should not have been able to win in the first place, and it is for that reason he held it and increased his majority the second time around. The current honourable member for Frankston East might disagree with me, but I believe Peter would have won the seat this time around as well.

Peter McLellan was my friend, and I shall miss him dreadfully. I offer my sympathy to Trish, Leanne, Marie and Richard.

**Ms DAVIES** (Gippsland West) — I wish to add my condolences and note with sadness the passing of Peter McLellan, whom I knew for only a short time.

My first contact with Peter was during the November 1997 debate on the Auditor-General. It was an intense time in Parliament and a time of great community concern, and there was focused debate in the house. Intense meetings took place in corridors and corners and Peter had to make a choice at that time. He faced incredible pressure that I suggest few members in Parliament have ever had to face, and he was prepared to stand alone. I admired him for his preparedness to face that pressure.

From conversations I had with him both during that time and after he became an Independent it was obvious that Peter's war service in Vietnam was still close to him. He was marked by that service in a way that I have found many Vietnam veterans are marked. I found that very sad, as I find his early death very sad.

The third aspect of Peter that I came to know, as we sat up in the Independents corner after mid-1998, was his caninness as a politician and a community campaigner. He had some interesting notions of successful campaign techniques, not all of which were transferable to the other Independents. It was very much his own special style.

I, too, went to Peter's funeral and was moved by the funeral service and the regard in which he was obviously held by his friends, family and community. I also like the term 'people's pollie'. Peter worked hard and served his electorate well. I regard that as high praise indeed. I am sorry for his passing. Peter's children and grandchildren should be proud of his life's achievements. He left his mark, an honourable mark. He is now at peace, and I will remember him.

**The SPEAKER** — Order! It is obvious to the Chair that a number of speakers want to contribute to this

debate. The time being 6.30 p.m. it might be appropriate to adjourn for the dinner break, with debate on the condolence motion continuing at 8 o'clock.

**Sitting suspended 6.32 p.m. until 8.05 p.m.**

**Debate interrupted.**

## DISTINGUISHED VISITOR

**The SPEAKER** — Order! I advise the house that in the gallery this evening we have the Reverend Dr John Davis from St Peter's Anglican church. Members would know that he is one of the parliamentary chaplains.

## CONDOLENCES

### Frederick Peter McLellan

**Debate resumed.**

**Mr COOPER** (Mornington) — I never thought I would be making a speech on a condolence motion for Peter McLellan. I thought Peter McLellan would live to a ripe old age. It is a matter of great personal sadness that I am in this position today.

Peter died just four weeks short of his 57th birthday. That, in light of today's longevity, is far too early, but he has left behind a big family, an extended family, which certainly is grieving deeply at his loss.

I can easily lay claim to having known Peter McLellan far longer than anybody else in this house. I met Peter McLellan back in the mid-1970s, some 25 years ago, when he was an RACV patrolman. In those days my wife's car was not as reliable as the one she drives today, and Peter was a reasonably frequent visitor to our place — looking after my wife's car and getting it going. As a result, a friendship was established. He did not live far from me. He lived in Yewers Avenue in Mount Eliza. A friendship was established between Peter, my wife and me, a friendship that endured to the time of his death.

Peter was a man with no grey in his world; his world was black and white. He freely admitted to that. He had firm ideas on a range of matters, and he was not frightened to expound those views. He certainly did not seek a political career. He was content with the world he loved — a world dominated by motor vehicles — and to remain in it.

As has been said by previous speakers, in the late 1990s Peter became involved in politics. He was a small

businessman running a used car business in Hastings. He found that his business and many others were severely affected by the economic climate of those times and decided to do something about it. He spoke to me at length about the issues, and I suggested to him that, because of his political leanings and his strong views, he should join the Liberal Party. He joined the Hastings branch, one of the branches in my electorate. He sought executive positions in that branch and was elected vice-president.

Not long after that Peter decided that, while being part of a branch and being able to contribute to the party and the political life of this state was one thing, another thing would be to expand that role by going into Parliament. When he told me he was going to run for preselection for Frankston East, I said, 'Peter, there might be easier seats for you'. He said, 'I only want one seat. I am going to run for Frankston East. That is the only seat I will run for preselection for. If I get preselection, I intend to win it. If I do not, I will be content to help you in your election campaign in Mornington'.

Peter was hand made for the seat of Frankston East. He was a part of that community and was able to relate to it very well indeed.

He built up that relationship from the time he was preselected until his death, the strength of which was reflected in the enormous outpouring of grief shown by the significant number of people who attended his funeral. Peter was a man of the people and the community. All those who knew him respected him.

As earlier speakers said, he was a member of several shooting organisations. He was very interested in pistol shooting and was a very good shot. Peter was involved in a range of community organisations that reflected his background in sport. He was a good cricketer, footballer and boxer; he was a good athlete in general. With his wide-ranging interests he was very much a part of the Frankston East community.

**The SPEAKER** — Order! I advise all honourable members, particularly new members, that noisy electronic devices are not permitted in the chamber. I ask all honourable members to adhere to that ruling.

**Mr COOPER** — Apart from being an RACV patrolman, in the mid-1970s Peter decided to expand his expertise by establishing a small used-car lot at his residence. That went against all the planning scheme provisions in operation at the time, but Peter did not want to know about that! I was a councillor of the former Shire of Mornington at that time, and I did not

want to know about it either. I worked on the basis that the time to do something about it would be when someone complained. Peter and his neighbours got along very well, so no-one ever did! He was able not only to be an RACV patrolman but also to service and sell cars from his residence.

In the late 1970s he also set up a motor wrecking business on a Mornington industrial property. When I was looking for a car after I went into business on my own in the mid-1980s the first person I thought I should seek advice from was Peter McLellan. I told him that although I did not want to spend an enormous sum of money I was looking for a good, reliable car to take me on frequent trips around Victoria and into southern New South Wales. He said 'What about this car here?'. On the factory floor was a wrecked Datsun that had been in an enormous smash. The owner had not taken out insurance; Peter had bought the carcass and was rebuilding it. I said, 'What on earth will that turn out like?', and he replied, 'It will turn out to be a very good car'. When he told me the price I was immediately attracted and asked to see it when it was finished. It had turned out to be a lovely car, and I bought it.

However I had to fill the engine up with oil a couple of times after having driven it only four or five days. I returned to Peter and told him that the car was burning a lot of oil and that I thought something was wrong with it. Peter looked at it and said, 'Yes, the motor is shot. Leave it with me and I will fix it'. He put a new motor in the car at no charge, which was typical of him. There was no mucking around, no arguing the toss, no saying he was not sure. He was a man who said he should not have sold it to me in that condition and so would make it right. He made it right, and the car was still running perfectly when I sold it to a nice lady some two years later.

Peter took great pride in never having had a complaint made against him to the Office of Fair Trading. I should think that was because he was a straight-up-and-down person. What you saw was what you got. He saw things in black and white. His pride in being an honest trader was reflected in his business dealings in the motor industry and, later, as a member of Parliament. He took great pride in doing things for his constituents and his electorate.

In December 1998 Peter set out in an article in a local paper that circulated in the electorate of Frankston East some of the things which were important to him and which show the quality of the man. It states:

... unemployment in Frankston required urgent attention.

Remember, this was 1998.

'Between 1988–90, there was 1600 people listed as unemployed in Frankston', he says.

'By October 1992, it was a staggering 8500. Currently, it is somewhere around 4500'.

That shows the attention Peter gave to the important issues that affect real people in real situations. The article continues:

Mr McLellan added a couple of personal milestones that were close to his heart.

'Since assuming office, every primary school in my electorate has had an upgrade.

That's well in excess of \$100 000 and up to \$250 000 each for 17 primary schools.

And both secondary colleges — Karingal and Monterey — have had major improvements of between \$3–4 million.

It pleases me greatly that I've also played an instrumental role in an \$85 000 extension for Ballam Park Costume Museum and a total reconstruction of Frankston Hospital casualty.'

The article, which was published in the aftermath of Peter's decision to leave the Liberal Party and become an Independent, went on to say:

It might come as surprising to some, but Mr McLellan believes the Kennett government has 'done a great job from a financial perspective'.

'They've turned a "basket case" into a thriving state', he says.

'It has provided new infrastructure and given people confidence. It has put pride back into Victoria'.

That was the man who agonised over his decision to leave the Liberal Party on issues that were of great importance to him. However, he did not condemn the people he left behind. Although he left the Liberal Party because he could not bring himself to support some issues, he understood that many good things had been done. He stood for principles that he had espoused all his life, and he was prepared to be judged on those principles in the 1999 general election.

Peter McLellan was a friend of mine. Many people will miss him, including his wife, Trish, who was a loving and loyal wife; Leanne, Marie and Richard; his son-in-law, Craig, and his four grandchildren. His mother, father and four sisters will miss him. The people of Frankston East will miss him — and he will be missed by people like me.

**Ms McCALL** (Frankston) — It is never easy to stand in the chamber to talk about one of your colleagues. I shared the representation of the City of Frankston with Peter McLellan; and I shared space with him in the local newspapers. In many respects I did not share his views, but that made the sharing of our

representation more of a challenge. Peter was a maverick, a rebel and an individualist. When I became a member of Parliament he was a colleague and a member of the Chelsea Province team.

Although Peter and I agreed to differ on several things in politics, it was a healthy situation. At times it is important to agree to differ, even in your own ranks.

Peter and I were not alike, but then our electorates were very different. I have no doubt that Peter was the best person to represent an electorate such as Frankston East. He took it over after the redistribution in 1992 when it was a brand new seat. In 1996 he defended it ably, and if he had not died in such circumstances in September 1999 who knows what the outcome of that election might have been.

We will miss him. We will miss the bantering at meetings with Frankston City Council; we will miss him discussing issues such as the Frankston foreshore and women's affairs in the electorate where he and I differed dramatically. I stand proudly to say that yes, Peter was a colleague, and even though he made a decision that was difficult to make we admired him for his principles.

I feel not only for Trish, his wife, and for his family, but also for his supporters who stood by his side in 1992, helped him across the line in 1996, and who were torn in their loyalties in 1999, many of whom miss him desperately, probably as much as his family. I pass on my condolences and best wishes to Peter's supporters in Frankston East and to his family.

**Mrs PEULICH** (Bentleigh) — I also extend my condolences on the premature passing of a dinky-di Aussie bloke who represented the people of Frankston East. Peter McLellan was not only a colleague but also a friend to many of us. The sad thing is that many honourable members did not really know Peter, with the exception of perhaps a handful of members such as the honourable member for Forest Hill and me. We shared many a good time over a bad habit — smoking. Many honourable members did not get to know Peter fully until he died, after attending his funeral and hearing others speak about him today. Many people would perceive him as being one-dimensional, or black and white, but they were not in a position to appreciate the broad ranges of experiences that he brought to Parliament, his diversity of interests, the passion with which he represented his electorate, the manner in which he debated policy issues, and his proud record in representing his country.

Peter and I, like other members elected at the same time, were thrown into similar experiences in the heady days of 1992. We were both members representing marginal seats. He was a fairly straightforward man. The honourable member for Mornington referred to him as a straightshooter, which is probably a good metaphor. Peter was a strong supporter of the sport of pistol shooting.

The man was certainly politically incorrect. Peter was the first to poke fun at his own manner and his politically incorrect way. Often we would be debating the challenges of the day, of marginal seat campaigning and so on, and at the end of the day over a cigarette he would say to me, 'You know what, Inga. You're a damn good sheila'. I think he was right.

He was a practical and sensible man. The eulogy delivered by the honourable member for Forest Hill and his address today successfully evoked what Peter was about. It is a sad reflection that it took seven years and a person's death for many to appreciate what and who he was.

Peter identified with ordinary people, with workers and with families. That may have been due to the fact that he came from the 'wrong side of town', and possibly that is why we were drawn to one another as friends. Peter was comfortable with his own constituency, including the Pines. He had no time for hobnobbing or for idle chatter. As the honourable member for Mornington said, what you saw was what you got. I admired Peter's moral fortitude and I am sure he will be remembered as a decent man and a good politician.

I recall some of the hilarious stories Peter used to tell about his experiences during the war while in the service. The honourable member for Forest Hill referred to Peter's job as putting bits and pieces together. There was another aspect to the job. One of his tasks as a medical orderly was to treat soldiers for sexually transmitted diseases. Peter treated not only the soldiers but also some of the working girls, because if you did not treat the source of the problem you were chasing your own tail, so to speak. I am sure Peter would appreciate the pun because he was full of them.

He would also take great delight in so many people saying so many kind things about him in Parliament. I remember he and I laughing about what the condolence motions would be like when we carked it given that there was often no time for an adjournment. He said, 'When you and I die they will probably flash it up in lights and move on to the next item of business'. He was wrong.

Peter was passionate about the way he represented his electorate and the issues he saw as important. He was strong on law and order policy, he was a strong anti-drugs campaigner, and he was passionate about the Auditor-General reforms. I was probably one of the half dozen people he first called to notify his intention to resign from the Liberal Party.

In death he will be remembered for unleashing a sequence of events and a result that he would neither have foreseen nor wanted. My condolences go to Peter's family, Trish and his children, and may he rest in peace. He was a friend.

**Mr LEIGH** (Mordialloc) — Prior to 1992 I did not know Peter McLellan. The Leader of the Opposition referred to the then Minister for Housing being directed to go down there. The first time Peter came to my attention was when he rang up members of the coalition bills committee to find out who he should go and annoy. Most members of the bills committee will remember giving him the Minister for Housing's phone number. Peter was one of those diligent people who put people first.

I also remember the 1996 election when the Labor Party candidate was a fellow called Colin Hampton. Many Labor supporters joined Peter to ensure that gentleman was not elected because they saw Peter as the one who best espoused the interests of those who lived in Frankston and not the candidate who had been put up by the Labor Party. I recall Peter showing me a local newspaper article about someone trying to blow up Colin Hampton's factory and detailing what occurred.

I remember two things about Peter. We both had offices on the third floor of Parliament House. He was in one corner in a very small office. The honourable member for Cranbourne and a couple of others and I also had offices up there. When Peter was at home you could see the smoke coming through and past the door as you walked up and around the corridor. It amazed me that the sprinkler systems did not go off when he was up there smoking. Peter obviously smoked a great deal.

I also remember during the wheel-clamping inquiry undertaken by the Community Development Committee that Peter suggested some of the wheel-clamping people were crooks from the tow-truck industry and that we should drag them before the inquiry so we could find out exactly what they were doing. He motivated me to investigate some of them. One of the companies Peter said we should investigate involved a gentleman by the name of Mr Clampit. Mr Clampit resided about four floors above us in Nauru

House, where the parliamentary committees were housed at the time. The company that owned Mr Clampit was called the Beverley Hill Billies — believe it or not — which was formerly Dupes Nominees Pty Ltd. The tow-truck industry needed to be re-regulated because thugs were turning up at accidents and trying to get victims who may have been in great pain to sign on the dotted line so they could tow their cars off. A great deal of credit should go to Peter for that investigation.

Many of us will remember Peter and the paintball exercise. Peter was passionate in his defence of paintball. I believe there was a centre in his area and he was strong in its defence.

Peter also rang me the night before he resigned to find out what I was doing because I had some concerns about what had happened to the Auditor-General. We discussed it for about half an hour or so and I wished him well. At the end of the day, whether Peter McLellan was an Independent or otherwise, after he made the decision to become an Independent he could have done great damage to the government if he so chose. He chose not to damage the government but to continue to do the best he could.

When you have been in this place for a while you soon realise how many condolence motions are passed, most of which concern former members who were not known by those present in the chamber. Although I remember Gordon Stirling, I do not remember the former member for Williamstown or many of the other members who are the subjects of such motions. It is lucky so few members suffer the same fate as Peter, given the amount of travel we do and the hours we put in collectively. Statistically we are a healthy group of people and we survive through the years. Perhaps it is our commitment and our brains that keep us alive a lot longer.

I will remember Peter fondly. He was passionately committed to the things he wanted to do. He would not take a lot of rubbish from people he disagreed with, be it the Premier of the day or anybody else.

There is probably nothing worse in life than to outlive one's own children, as only a parent can understand. As a parent I feel particularly for Peter's parents and pass on to them my condolences. I wish Trish, Peter's family, and his parents all the best. Victoria is a better place because of the activities of people like Peter McLellan.

**Mr BATCHELOR** (Minister for Transport) — I offer my condolences to Peter McLellan's family — his

wife, Trish, his son, Richard, and daughters, Leanne and Marie — and to his many friends and supporters.

It has been mentioned many times that Peter was known as the people's pollie. He was truly that; as has been acknowledged by all sides of the house this evening, he was the salt of the earth and a rugged individual. He was born at Reservoir on 20 October 1942, and although my electorate covers part of Reservoir Peter's birthplace does not come within it. The qualities he espoused are popular in Reservoir and were obviously popular in the Frankston area when he was elected. He has been universally recognised as having worked hard and given much as a parliamentarian, just as he had done previously in his small business providing roadside service for the Royal Automobile Club of Victoria.

In addition to politics and helping his constituents Peter had a diverse range of interests. He was a keen sportsman and often used the bowling green at Parliament House. He was an incongruous vision wandering around in crisp bowling whites trying to encourage other members to join in the fraternity he experienced as a keen bowler at Parliament House. In the same context, he came from a diverse and active sporting background and was involved in sports ranging from boxing to shooting. He was an active member of the Victorian Pistol Association and the Peninsula Pistol Club, and he served as a range officer.

Peter was also a keen supporter of the disabled and a fighter for environmental issues, which was a recurring theme in the media reports of his political career. After growing up in the northern suburbs he joined the army and continued that association throughout his life. In his activities as a local member he was concerned about and interested in Monterey High School in the Frankston area, and about community safety in homes and on the streets. Although I was not personally aware of it, tonight he has been described as a brilliant photographer. All of those diverse characteristics reveal that behind the rugged individual was a complex person.

Liberal members have commented on both Peter's decision to resign from the party and his earlier decisions to abstain from voting. Members on both sides of the house have to acknowledge that he was aware of significant shifts in political attitudes well in advance of many others — and it stemmed from his connection to ordinary people. He was always concerned to keep up connections with people in his electorate and with community organisations with which he was associated. Although he was not seen as a high-flying star performer in Parliament, with the

benefit of hindsight and the acknowledgment of his diverse range of interests it is clear that he understood the political mood and was able to sniff the breeze well ahead of many of the other seasoned political operatives who are currently in the chamber.

I join with all honourable members in expressing condolences to Peter's family and friends. He will be a sadly missed member of this chamber.

**Mr THOMPSON** (Sandringham) — Peter McLellan was something of an Australian everyman, in part reflecting the Anzac tradition. When describing the early Australian in *Hawker, the Standard Bearer*, the Australian poet, Banjo Paterson, wrote:

'Wherever there's ever a rule to break,  
Wherever they oughtn't to be,  
With a death to dare and a risk to take,  
A track to find or a way to make,  
You will find them there', said he.

Some of those qualities are reflected in the life of Peter McLellan. He had a broad background. Starting in East Reservoir, he gained early training as a motor mechanic and was a keen athlete and sportsman. At one stage of his life he played great cricket for Northcote. He was the type of fellow that as the sun was setting on a sticky wicket would walk out to bat, ready to face the oncoming onslaught as night watchman and prepared to take on the challenge of that ordeal. He served as both an ambulance officer and a soldier in overseas countries.

Peter's life experience was broader than that of the majority of honourable members by virtue of his early beginnings, his overseas service and the way he saw his parliamentary role. He was a fighter in many different ways. He fought for his country, his constituents and his principles. In some ways he had a disregard for authority, and in that reflected the qualities of early Australian soldiers. He would assess issues on their merits. He had seen a lot of life and, perhaps through a smoky haze in the corridor, would evaluate issues on their merits. One of the great things about this house is the breadth and diversity each individual brings to it by virtue of his or her background, whether he or she started life in a butcher's shop or in the high country of Victoria.

It was marvellous to see the contribution someone like Peter made to his parliamentary committee work. With tow-truck operator legislation, for example, he was a font of knowledge. Honourable members have mentioned his work on the Road Safety Committee, to which he made a valuable contribution. He also had an interest in small business. I recall a meeting in this

building that was due to finish at 7.00 p.m. However, because they were keen to resolve the issue a number of members worked through until 11.00 p.m. Peter had a strong work ethic and focused on trying to do the best for his electorate.

His maiden speech reflected his wide range of interests — unemployment in his electorate, the condition of Monterey Secondary College, the business decline in Victoria in 1992 and law and order. If one takes each of those matters and compares the public sector resources in Peter's electorate in 1992 and 1999, one recognises the contribution he made through his representations on behalf of his constituency.

I shall give two illustrations that reflect something of his personal approach and qualities. On one occasion he told a number of honourable members in this place about how one Sunday morning while walking down to the local milk bar in his shorts and perhaps his moccasins or thongs he was asked by the local constabulary in a panel van what he was doing and where he was going. Their language was infused with a few adjectives that did not greatly impress Peter. He drew them out a little and as the language became more colourful the keener Peter became to speak with them. When he told them his mission they said he did not have to go with them. However, Peter demanded that they put him in the back of the paddy wagon and take him to the local police station because he wanted to make a complaint.

On another occasion it was reported that he was late for a meeting at which he was to speak. He arrived dripping wet. People were concerned because he arrived 45 to 50 minutes late. It became apparent after the meeting that he had seen a lady whose car had broken down. Because it was raining he decided that rather than attend the meeting and make a speech, he could make a greater contribution by repairing the lady's car so that she could go on her way. That reflected how he saw himself serving his constituency.

At Peter's funeral there was a guard of honour of perhaps 30 or 40 people outside the church. They were resolute, erect and held a respectful stance in honour of Peter. They were colleagues he had served alongside in both Frankston and overseas — the Vietnam veterans.

Peter was widely regarded by many in his electorate. He had a laconic sense of humour, a sense of moment and a sense of occasion. He was resilient with a deeply ingrained sense of service and he led by example. He was prepared to have a go. The house was well served by his contribution.

**Mr PLOWMAN** (Benambra) — I had the privilege of coming into this place in 1992 as a new member with Peter McLellan. The new members formed a large group, as is the case with the government on this occasion. The bond that formed between those new members undoubtedly will occur with the latest group. It enabled me to have a respected friendship with Peter. I took note of what the honourable member for Mildura said because I did not know Peter in his electorate at that time. When I attended his funeral I learnt a lot about him and the work he did. However, more importantly, I learnt of the respect that the community had for him. It is that respect that all honourable members honour on his departure.

Peter was a good, straight man. He was a proud ex-serviceman and, despite the fact that we had different personalities, he was a person I respected for the friendship that we developed. He impressed me in many ways but, most importantly, he developed a respect that lasted through his career. That respect did not stop after he left the Liberal Party. He will be missed for his wit and humorous interjections. Being a backbencher with Peter was enjoyable. It was a privilege to know him and to serve with him.

**Mr ROWE** (Cranbourne) — My electorate of Cranbourne abuts the electorate of Frankston East and I came to know Peter well through cross-border relationships. However, I got to know him before the 1992 election. There was a time when Peter was uncertain about whether he was making the right decision to become a member of Parliament. I remember travelling to his Hastings used car yard, come boat yard, come caravan yard. It was a Steptoe yard in those days. I remember sitting in the portable building that acted as his office. Peter apologised because the kettle was not working fast enough to make us a cup of coffee. We spoke about politics, the reason I was going into politics and why he wanted to go into politics.

After that discussion I left. Later there was some discussion about his wife's reluctance about his entering Parliament. I remember going to his house and having a fantastic night. Peter had a great selection of ports. I can only remember up until about midnight. However, I remember the headache the next day and the Panadol I had to take. Trish was a lovely lady and welcomed us into her home.

Many honourable members may not know that Peter had a disabled daughter who attended a facility in my electorate. I assisted the facility to obtain grants. At that stage I was unaware that Peter's daughter attended the facility. When I became aware that she did I mentioned

it to the CEO. She said, 'Peter doesn't come here as a member of Parliament, he attends as a dad'. That was Pete. He was a father to everybody and a mate to everyone. He was a great soldier and a serviceman in the Anzac tradition. The relationships between commissioned and noncommissioned officers is sometimes acrimonious, as was the case with former Premier Kennett.

My father was a noncommissioned officer, and he had a similar relationship with his lieutenants and captains. The NCOs, not the officers, run the armed forces. Pete believed he was wiser than the officers of the day and to some extent resented their authority.

Pete was respected by the former Premier. After Pete resigned from the Liberal Party, Jeff met with him on a number of occasions. They had a good relationship, which is why Peter was supportive of the Premier going into the last election.

My relationship with Pete was cordial and friendly, but he was parochial when it came to the interests of his electorate. Peter and I discussed Monterey Secondary College and Carrum Downs Secondary College. The Department of Education says that if a secondary college is built in Carrum Downs, Monterey Secondary College has to be closed. The Monterey Secondary College principal and school council want to close their school and move to Carrum Downs. Pete's prevailing attitude was: 'over my dead body'.

I remember talking to him about the closure of the Pines preschool because of low attendance and the garbage that was being peddled in the community that it was due to lack of government funding. I know the work that Pete put in and the number of phone calls he made to the now Leader of the Opposition about funding for the preschool. He was successful in obtaining funding for the preschool. He was a perfect local member.

During the lead-up to the supplementary election I campaigned in the Pines. Everyone loved Peter McLellan — they all wanted him to rise from the dead. He can never do that, and I think the mould was broken after he was born. He was a true Aussie and a great mate who believed in his community and related to the people. He had cups of tea in housing commission houses with gaping holes in the walls; he got the holes fixed and the people respected him for it.

The same guy could walk into a board meeting and talk with millionaires about establishing an alternative racing industry in Victoria; he could relate to diplomats on a one-to-one basis. That shows his calibre.

One of Peter's passionate hopes was to see the Scoresby bypass and the link off the Frankston Freeway completed to give the people of Frankston East an industrial base similar to that in the west following the construction of the Western Ring Road and the Western Bypass. Unfortunately that opportunity has now been denied to the people of Frankston East. Peter McLellan's dream of revitalising and stimulating an industrial area of Carrum Downs has now gone. He convinced the Frankston council, the former Minister for Roads and Ports and the former Premier of the value of the project, and it was going to happen. Unfortunately now the Minister for Transport and the parliamentary secretary have seen fit to reject the project. It is a shame the memory of Peter McLellan cannot be enhanced by the completion of a magnificent road project that would have revitalised an area of Peter's electorate and provided employment for the people he cared so much about.

Peter was a shooter. He took me to the Carrum rifle range and reintroduced me to firearms. I shot a clay target. It shot back and hit me in the head.

*Honourable members interjecting.*

**Mr ROWE** — It was the only time I have been injured in combat. Peter stood and laughed. Paintball was mentioned previously; there is a paintball facility in my electorate, and Pete had one in his. He was passionate about defending the right to enjoy a sport and was prepared to go to any length to convince others to support those rights.

Pete was supportive of every minority group in his electorate, including the RSL. I remember going to the Frankston RSL because many people from my electorate go there. They asked, 'What are you doing here? Peter McLellan is our MP'. People in his electorate held him in very high esteem.

People associated with Monterey Secondary College thought Peter was king — he brought them \$2.7 million to upgrade the secondary college. He brought rationalisations and upgrades to most of the education facilities in his electorate.

He related equally well to Labor, conservative and non-aligned councillors and CEOs. He was a great man. I will miss Pete dearly because he used to supply me with cigarettes.

My wife and I once went out for dinner with Pete. At about 4 o'clock on the day of the state election I received a phone call from a member of the Liberal Party who said that Peter McLellan had died. I said, 'You've got to be kidding. What idiot is spreading that

rumour?’ — wanting to blame the Labor Party. The member said, ‘No; the electoral office told us’. I rang people at the Liberal Party headquarters and was told they had found out about midday that Pete had passed away.

I rang Maria, my wife, whose memory of Pete was of the nice guy we had dinner with at the Spaghetti Tree. That is a great epitaph for Pete: the nice guy from the Spaghetti Tree.

To Trish and the whole family — sincere condolences from Maria, myself and my colleagues.

**Mr LUPTON (Knox)** — My contribution to the debate on the condolence motion will be short because a number of honourable members have spoken so well about Peter McLellan and referred to his total disregard for authority. That disregard will come back to haunt us when we consider the way he resigned from the Liberal Party and became an Independent member of this house. His action exemplified his total disrespect for authority; he would not wear it. He has left a legacy for Victorians, for members of this Parliament and for the electors of Frankston East.

Many honourable members have commented on what Peter did. He impressed me most with his commitment. The introduction of firearms legislation after the Port Arthur massacre has been mentioned briefly in the debate. Many people may argue about what the Prime Minister wanted to do federally, but I remember that period specifically because Peter argued the pros and cons before the parliamentary bills committee. He frequently came to my penthouse office on the third floor and bashed my ear about what was wrong with the legislation. He spoke as a practical man who knew about the practical aspects of firearms.

He taught the members of the bills committee about rifles and pump-action guns and about other aspects of firearms; he patiently demonstrated his knowledge. His contributions to committee debate and his constant nagging enabled the former government to pass legislation that Peter found to be useable and more user friendly than originally proposed — although perhaps further advances could still be made. Peter McLellan was a great man and left a legacy to the community.

**Mr PERTON (Doncaster)** — I join this debate after having heard some tremendous contributions. Not often does the house pay tribute to a sitting member, but it can regard Peter McLellan as a sitting member and somebody whose spirit is still among us, as honourable members will agree, through the moving contributions

of, particularly, the honourable members for Cranbourne, Mornington and Forest Hill.

In his inaugural speech Peter stated:

I grew up in East Reservoir, down the bottom of Tyler Street, an area given the dubious title of Little Chicago, a place where a knuckle sandwich was given or received on a regular basis. It was a rough-and-tumble estate where several of the residents alternated between their home addresses and the Bluestone College at Coburg.

It was especially daunting for me because my father was a prison officer at Coburg during those years.

I grew up in East Coburg and in the 1950s my father opened his first business in Tyler Street. I and members of my family know the area well. The people from that area came out tough. Peter and I came out of that experience with very different views. I vigorously disagreed with Peter on drug law reform, yet at the end he would come back with his CD called *The Drug Anthem* and say, ‘Can you get this out to some of your community groups?’. I was happy to help him.

Peter and I had vigorous fights over our disagreements on equal opportunity laws, but we could still talk about it over a glass of whisky. We also strongly disagreed about gun laws.

I have never been a keen bowler, but Peter could somehow persuade me to put on the whites and get out onto the bowling green. Given my girth I felt I looked ridiculous in that outfit. As the honourable member for Mordialloc says, photographs proved just how ridiculous!

Peter had a remarkable humour. He and I agreed strongly on some matters, one being appropriate law-making and regulation. I remind the house of the implementation of tow-truck regulations. The economists said the national competition policy made sense. They said, ‘Deregulate the industry; it will lead to greater efficiencies for consumers’, but Peter McLellan knew better. He could tell stories of the old days when tow-truck drivers used to carry iron bars with which to settle arguments about who should get the towing jobs. He could talk practically about the influence of criminal elements. I did not understand the tow-truck industry, but I understood about deregulation. He came to me and said, ‘How can you do it?’. He persuaded us to reverse what the economists said was rational thinking based on commonsense.

Another matter Peter and I agreed on intensely was the Auditor-General issue; we all knew about a number of intense disagreements on the issue. Peter believed

passionately in the rights of the Auditor-General, as did I.

**Mr Thwaites** interjected.

**Mr PERTON** — The honourable member for Albert Park can treat that fact with mirth, but Peter McLellan and a number of other people had to decide on the best way to deal with disagreement with the party line. Such issues often do not arise for the Labor Party because its rules are so different, but members of the Liberal Party can intensely disagree to the extent that they may decide to cross the floor or abstain from voting. In Peter's case it went further because he decided to resign from the party.

I took a different view from Peter on what to do when you disagree intensely with party policy. In that instance I voted with the party, but Peter went the other way. I respected his intensity, his passion and his beliefs; that is what the community needs. He was referred to as having black-and-white thinking. That does not describe the man as intensely as he ought to be described, because he believed with a passion and strength that is the stuff of which members of Parliament should be made. I miss him for that reason. I miss him for his intensity, his passion, his beliefs and his goodness. The community is the poorer not just for his leaving Parliament but for his passing.

**Mrs ELLIOTT** (Mooroolbark) — Between 1992 and 1996 I shared a government back bench with Peter McLellan. Peter was a most interesting person. His recounting of his experiences as a medic in the Vietnam War that so deeply divided the Australian community showed me what war could be like.

Peter had an inexhaustible supply of jokes, 100 per cent of which were too salacious to recount here! He would say to me, 'Do you want to hear a joke?', but if I said no I would end up hearing it anyway. I saw a different side of Peter when he asked me to speak at a meeting in his electorate. He asked me to dinner that night at his home, where I met his wife and family. I saw there examples of his photographic skills to which other honourable members have referred. As well as being a person who always had a good joke to tell, Peter loved beautiful things. He had an eye that could see beauty through a camera lens.

Peter lived his life and represented his electorate with a passionate intensity. He smoked cigarettes with that same intensity and, even when he decided to quit the Liberal Party and sit in this place with the Independents, he remained a true conservative. His

death was premature and sad. I also convey my condolences to Peter's parents, wife and children.

**Ms BURKE** (Pahran) — I also join debate on the condolence motion for Peter McLellan. I sat next to Peter on the back benches. I will not relate his passing comments, but it is an understatement to call Peter a character.

Honourable members have described Peter as a passionate person, and they have described him well. Peter got on well with everyone. I also learnt about some of his parliamentary and political tricks referred to by the honourable member for Gippsland West. He had a different style of politics, but one that was welcomed in his Frankston East electorate.

The last speech Peter made in this house was on 26 May this year when he talked about the medical conditions and health of the Kosovars in Portsea. That was typical of Peter McLellan. His past medical experience in the Australian Army had given him an understanding of the trauma suffered by the refugees. Although he spoke about the concerns of his constituents he also spoke about the people who were visiting our country under very traumatic circumstances.

The honourable member for Doncaster said he played lawn bowls, as I do. I also get decked out in whites, which is quite a sight. Peter was the president of the Victorian Parliamentary Bowls Club. He probably is the last president of the bowls club as the club appears to be disbanding. His role as president had to be seen to be believed. When we played in interstate bowls competitions Peter was the diplomat, which is a side of him honourable members did not see when he contributed to debates in this place.

It was a pleasure to serve with him. I pass on my condolences to his wife Trish, his children, his mother and father, who must be devastated at losing a son before themselves, and particularly to the constituents of Frankston East, who have lost a very loyal member of Parliament.

**Mr SMITH** (Glen Waverley) — Since 1985, when I entered Parliament, I believe only two serving members of Parliament have died during their term of office, Beth Gleeson and Pauline Toner. Honourable members feel differently about one of their own who has died during his or her term of office compared with others whom they do not know well.

Peter McLellan touched all our lives. I served with Peter in Vietnam in 1996 and 1997. Peter raised many of the problems faced by Vietnam veterans. He

believed the biggest problem was the way in which national servicemen were allowed to exit the army. People like Peter and I, who were in the regular army, knew their postings almost two months before they left Vietnam, but when national servicemen and women completed their postings they returned to Australia and perhaps within a few days were discharged from the army. It is easy to be wise in hindsight, but had the system found a way in which to release those people after they obtained jobs so that they could use the army as a base during the period they were looking for work, many of the problems we have today may have been resolved. Of course, that does not take into account the problems associated with Agent Orange and other issues.

Peter McLellan took up the cudgels for Vietnam veterans and was able to get the message across to the public. The welcome back many national servicemen received was less than desirable. Many of them were not welcomed in hotels or in society. The protest movement had worked so hard against them that when the servicemen returned to Australia they did not feel welcome. Those in the regular army had their messes and places where they would socialise and did not have to face the same opposition that was in the community. Peter left the army, I think in 1969. Although he moved into other areas, he made representations on behalf of Vietnam veterans, many of whom are still not employed and have a feeling of worthlessness that those who continued to serve in the regular army for some time did not experience.

When Peter McLellan was elected to Parliament he relayed many stories, to which honourable members have referred, and he stirred the consciousness of many people who did not treat properly those national servicemen who returned from Vietnam and who are still suffering terrible problems today. If Peter were here today he would be thrilled to hear that he has got across his message to the Australian people. He urged people to extend the hand of friendship and to help whenever they could.

The federal Department of Veterans' Affairs does an incredible job, but so much more can be done in extending the hand of friendship, which was Peter McLellan's message. Many honourable members on both sides of the house are widely respected, but no-one was more respected than Peter when he made his decision to resign from the Liberal Party. Some people have said that he resigned because of the former government's decision about the Auditor-General, but there were many other reasons that brought him to his decision. The bottom line is that Peter had the courage to make the decision, as he had the courage in so many

other ways. Parliament suffered a great loss when it lost Peter McLellan.

I extend my condolences to his wife Trish, his parents, his family and to all those people who respected what he stood for.

**The SPEAKER** — Order! I join with honourable members in expressing my sorrow at the passing of Peter Frederick McLellan. In the seven years that he was a member of Parliament I found him to be a man of exemplary character, of integrity and of strong opinions. He was a man who had strong passionate beliefs about many issues.

A number of honourable members described him as the people's politician. I saw him as an ordinary man who became a politician. I saw him as an ordinary man who fought for his fellow human beings to the best of his capabilities, and his capabilities were immense. Like other honourable members, I had many chats with Peter and the only annoying habit I found he possessed, as the honourable member for Bentleigh said, was smoking. If that were his only sin we can forgive him for that.

I will miss him. The people of Frankston East will miss him and the people of Victoria will miss him. To his wife Trish, his three children and his parents I convey my sincere condolences on his passing.

**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 Gordon Francis Stirling, Frederick Peter McLellan and William Laurence Floyd, the house do now adjourn until 10.15 p.m. this day.

**Motion agreed to.**

**House adjourned 9.20 p.m.**

**The SPEAKER took the chair at 10.18 p.m.**

## COMMISSION TO SWEAR MEMBERS

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

**MINISTRY**

**Mr BRACKS** (Premier) — I advise the house of the responsibilities that will be undertaken by ministers in this Parliament. In the Legislative Assembly, I will be responsible for the roles of Premier, Treasurer and Minister for Multicultural Affairs. The honourable member for Albert Park is the Deputy Premier, Minister for Health and Minister for Planning. The honourable member for Thomastown is Minister for Transport, and he will answer on behalf of the Minister for Ports in another place. The honourable member for Broadmeadows is Minister for State and Regional Development, Minister for Finance and Assistant Treasurer.

The honourable member for Bendigo West is Minister for Local Government, Minister for Workcover and Minister assisting the Minister for Transport regarding roads. He will answer on behalf of the Minister for Industrial Relations in another place. The honourable member for Pascoe Vale is Minister for Community Services. The honourable member for Northcote is Minister for Education and Minister for the Arts. The honourable member for Bundoora is Minister for Environment and Conservation and Minister for Women's Affairs. She will answer on behalf of the Minister for Energy and Resources in another place.

The honourable member for Yan Yean is Minister for Police and Emergency Services and Minister for Corrections. He will answer on behalf of the Minister for Small Business and Minister for Consumer Affairs in another place. The honourable member for Morwell is Minister for Agriculture and Minister for Aboriginal Affairs. The honourable member for Niddrie is Attorney-General, Minister for Manufacturing Industry and Minister for Racing. The honourable member for Altona is Minister for Post Compulsory Education, Training and Employment. She will answer on behalf of the Minister for Youth Affairs in another place.

The honourable member for Dandenong is Minister for Gaming, Minister for Major Projects and Tourism and Minister assisting the Premier on Multicultural Affairs. He will answer on behalf of the Minister for Sport and Recreation in another place. The honourable member for Melbourne is Minister for Housing, Minister for Aged Care and Minister assisting the Minister for Health.

In the Legislative Council the Honourable Monica Gould is Minister for Industrial Relations and Minister assisting the Minister for Workcover. The Honourable Candy Broad is Minister for Energy and Resources, Minister for Ports and Minister assisting the Minister

for State and Regional Development. The Honourable Marsha Thomson is Minister for Small Business and Minister for Consumer Affairs. The Honourable Justin Madden is Minister for Sport and Recreation, Minister for Youth Affairs and Minister assisting the Minister for Planning.

I also indicate to the house that the Honourable Gavin Jennings is Parliamentary Secretary of the Cabinet, Mr Craig Langdon, the honourable member for Ivanhoe, is the Government Whip in the Legislative Assembly, the Honourable Glenyys Romanes is Government Whip in the Legislative Council and Ms Mary Gillett, the honourable member for Werribee, is the Secretary to the Parliamentary Labor Party.

**SHADOW MINISTRY**

**Dr NAPHTHINE** (Leader of the Opposition) — I wish to advise of the shadow cabinet that will represent the Liberal–National partnership. I will be Leader of the Opposition. The honourable member for Benalla is shadow Minister for Agriculture and Leader of the National Party. The honourable member for Brighton is shadow Treasurer and Deputy Leader of the Opposition. The honourable member for South Gippsland is shadow minister for rural development, shadow Minister for Police and Emergency Services, shadow Minister for Corrections and Deputy Leader of the National Party. The honourable member for Hawthorn is shadow minister for tertiary education and training. The honourable member for Prahran is shadow Minister for Local Government and shadow Minister for Women's Affairs. The honourable member for Box Hill is shadow Minister for Planning, including major projects, and shadow minister responsible for Workcover.

The honourable member for Berwick is the shadow Attorney-General, the honourable member for Malvern is the shadow Minister for Health and the honourable member for Mooroolbark is the shadow Minister for Community Services and the shadow Minister for the Arts. The honourable member for Mordialloc is the shadow Minister for Transport. The honourable member for Monbulk is the shadow minister for water resources and the manager of opposition business in the Legislative Assembly. The honourable member for Doncaster is the shadow minister for conservation and environment and the shadow minister for multimedia. The honourable member for Caulfield is the shadow Minister for Aged Care and the shadow Minister for Multicultural Affairs.

In the Legislative Council the Honourable Mark Birrell is the shadow minister for industry, science and technology, including employment and industrial relations and the opposition leader in that house. The Honourable Bill Forwood is the shadow minister for small business and consumer affairs, the shadow minister for tourism and the shadow Minister for Aboriginal Affairs. The Honourable Roger Hallam is the shadow Minister for Finance, the shadow Minister for Gaming and the Leader of the National Party in the upper house. The Honourable Peter Hall is the shadow minister for sport, recreation and youth affairs, the shadow Minister for Racing and Deputy Leader of the National Party in the upper house. The Honourable Bill Baxter is the shadow minister for Housing and will be assisting the shadow minister for rural health. The Honourable Geoff Craige is the shadow minister for manufacturing and regional business and the shadow Minister for Ports. The Honourable Philip Davis is the shadow minister for natural resources and energy.

In the Assembly the honourable member for Glen Waverley is the Opposition Whip and the honourable member for Rodney is the National Party Whip. In the Council the Honourable Ken Smith is the Opposition Whip and the Honourable Barry Bishop is the National Party Whip. The Honourable Ian Cover is the secretary to the parliamentary Liberal Party and the Honourable Ron Best is secretary to the parliamentary National Party.

## QUESTIONS WITHOUT NOTICE

### Independents charter: ALP response

**Dr NAPHTHINE** (Leader of the Opposition) — Does the Premier stand by each and every one of his written commitments made in the Labor response to the charter of the three Independents?

**Mr BRACKS** (Premier) — I am surprised at the question of the Leader of the Opposition. I guess the opposition has not had practice questioning in the past, particularly with the past Premier. I can give an absolute assurance — as the opposition leader heard today in the Governor's speech and as was mentioned during the campaign and in Labor's response to the charter — that every clause of the charter will be adhered to. Unlike the opposition, the government will stick to its promises. The government will make sure the charter is properly implemented. In fact, it will be seen in the legislative agenda of the government — in the legislation to be introduced in the first session of Parliament, next year and during the next four years.

The government will implement every part of the charter.

### Rural Victoria: government policy

**Ms GILLETT** (Werribee) — Will the Premier advise the government's initial priorities for reviving regional and rural Victoria and promoting investment and jobs growth in country Victoria?

**An Opposition Member** — Thank you, Dorothy!

**Mr BRACKS** (Premier) — You'll be used to that! The question goes to the heart of the difference between the government and the opposition. The government has a big plan for regional and country Victoria, something that the National Party once talked about but that Labor will deliver.

I will outline some of the aspects of the plan that go to the heart of restoring infrastructure and services to regional Victoria. Labor will have a regional infrastructure development fund with total funds of \$170 million. During its election campaign the government committed more than \$100 million and there will be more to come in future years. From what it has inherited the government will create a new department of state and regional development with an office of rural affairs. The government will change the Melbourne Major Events Company to the Victorian major events company and it will plan events right around Victoria, not just in the centre of Melbourne.

The government will abolish double taxation being imposed on regional Victoria as a result of the catchment management tax and will instead fund the Department of Natural Resources and Environment with an allocation of \$11 million from general taxation.

The government will also put in place a uniform maximum electricity tariff so that regional and country Victorians will not be disadvantaged when the price cap comes off in 2000. The government will put a ceiling on the electricity tariff, which was not in place under the former Kennett government. The Kennett government was happy to let communities pay the maximum price despite their having small populations — that was its policy. The government will abolish compulsory competitive tendering and replace it with a proper best-value system that will ensure good performance standards for councils.

That is the government's agenda, which is in contrast to what the opposition proposed when it sought election to office — it proposed symbolism rather than substance. The former Kennett government proposed introducing a minister for decentralisation, but there was no

proposal to establish a department to administer decentralisation — it had no plan to restore Victoria's infrastructure.

The National Party has lost 33 per cent of its votes since 1992, and it is no wonder, because its members have been in coalition with the other mob. They are too embarrassed to enter into a coalition now, despite their talking about a sham partnership. I do not blame the National Party; I would be embarrassed and ashamed as well. The government knows the National Party will leave the partnership after a year. National Party members will maintain their distance because if they do not they are gone. Over the past seven years the National Party has been duded. I am sure the partnership will no longer be convenient after a year.

### **Parliament: ALP commitment**

**Dr NAPHTHINE** (Leader of the Opposition) — I ask the Premier whether he stands by each and every one of the Labor Party's commitments outlined in its document entitled *Making Parliament Work: Labor's plan for a harder working and more democratic Parliament*.

*Honourable members interjecting.*

**Mr BRACKS** (Premier) — The old contrived anger works well!

I thank the Leader of the Opposition for his penetrating question. I give him an assurance that the government will not only restore democracy to Victoria but will go further than outlined in its policies. The government will ensure that Parliament is open and accountable. It will also ensure that more time is allowed for questions without notice and that the checks and balances are in place. The government will do what the opposition did not do when it was in government.

The government will restore the powers of the Auditor-General and ensure that the Freedom of Information Act is used in the way it should have been used in the past — to ensure that contracts entered into by government are made public and transparent. The Labor government will restore transparency and openness to the Victorian parliamentary system. It will do the opposite of what the opposition did when in government. It will put an end to the secret state created by members of the opposition, including the Leader of the Opposition.

It should be noted that the Leader of the Opposition was sitting around the cabinet table making decisions about secrecy in Victoria. The Leader of the Opposition

has not changed since his complicity in the cover-up and his role in the arrogant Kennett government.

### **Auditor-General: powers**

**Mr CARLI** (Coburg) — I ask the Premier to provide details of his plans to overturn the 1997 changes to the Office of the Auditor-General and restore the independence and powers of that office.

**Mr BRACKS** (Premier) — I thank the honourable member for Coburg for his complementary question to the question of the Leader of the Opposition.

I will make a couple of points. As the leader of both the government and the Labor Party I am proud to say that the government will restore the powers of the Auditor-General to what they were before 1997. Furthermore, the government will improve them by ensuring that the Auditor-General will be an officer of Parliament, that future appointments will be made on the recommendation of the Public Accounts and Estimates Committee and that on budget day the Auditor-General will have the power to report on the budget, the surplus and details of the financial management plans of the government of the day.

The government will increase the powers of the Auditor-General. It will change the act so that for the first time since 1997 the Auditor-General will be able to audit. The current opposition — the Liberal and National parties — made it illegal for the Auditor-General to conduct audits in his own right. It is a bit too contrite and over the top for the Leader of the Opposition now to say that somehow he has learnt and has changed his view from what he said in 1997. On 30 October 1997 he said in this place:

The independence of the Auditor-General will be enhanced under the legislation. That position was recommended by the review committee and was endorsed by the broader community. Certainly, the independence of the Auditor-General has been one of the main issues of debate and consultation.

Clearly he was part of a cabinet that decided to neuter the powers of the Auditor-General. He has not changed his view; he is pretending. He does not believe in what he is saying now. He is saying it now not because he believes it is right but because it is popular.

### **Dairy industry: deregulation**

**Mr McNAMARA** (Leader of the National Party) — I ask the Minister for Agriculture whether, given the Senate report into the dairy industry and the comments by United Dairyfarmers of Victoria, who have both said that deregulation of the dairy industry is inevitable, and

irrespective of the result of the proposed plebiscite, the government is prepared for the inevitable.

**Mr HAMILTON** (Minister for Agriculture) — The government went to the election promising it would listen to country Victorians and give every dairy farmer a vote on deregulation. It is delivering on that promise.

As honourable members would know, there is no doubt that every dairy farmer in Australia is concerned about the impact of dairy deregulation. There is not one dairy farmer in Australia, let alone in Victoria, who is not concerned about the forthcoming proposal to deregulate the dairy industry. The Leader of the National Party has still not learnt. The former government spent seven years not listening to its constituents.

**Mr McNamara** — On a point of order, Mr Speaker, I ask you to direct the minister back to the question. Members on this side know the whole history of the dairy industry and do not need to hear it again. They want to know what the government will do, irrespective of the result of the plebiscite and given that the dairy industry believes deregulation will happen anyway. The Senate inquiry made it very clear that deregulation is inevitable. The UDV has also commented that it is inevitable.

*Honourable members interjecting.*

**The SPEAKER** — Order! I advise the house that when the Speaker is on his feet all members should sit down and listen. I ask the Leader of the National Party to come quickly to his point of order as this is not an opportunity to debate issues.

**Mr McNamara** — The issue is one of relevance. Mr Speaker, I request that you draw the minister back to the question and ask him to answer it.

**The SPEAKER** — Order! I believe the minister was answering the question. I draw the attention of the house to the fact that a minister may not debate the question. I do not believe the Minister for Agriculture was doing so, however, I warn him that should he stray down that track I will pull him up fairly quickly.

**Mr HAMILTON** — Obviously the former Minister for Agriculture and Resources has not learnt that he is in opposition. He obviously needs a lot more practice, which the government intends to give him.

The question referred to the plebiscite that will give each dairy farmer in this state the chance to have a say on dairy deregulation. The government believes that is a fair and proper way of doing business. I am surprised that the Leader of the National Party is against the

democratic process. The problem is that after seven years of a one-man band in this state the honourable member has not learnt anything. It is important for the government to listen and return democracy to Victorians, and it will demonstrate that it is prepared to do that. In this case the government is returning democracy to dairy farmers.

### **Rural Victoria: government policy**

**Mr LONEY** (Geelong North) — I refer the Premier to the government's commitment to listen to all Victorians in order to govern for the whole community, and that part of the listening process will be to take government directly to all regional cities. What action has the Premier taken to fulfil that promise?

**Mr BRACKS** (Premier) — I thank the honourable member for Geelong North for his question. As he said, one of the government's key commitments is to ensure that it listens to and works in partnership with all Victorians around the state and does not have exclusive relationships. As the honourable member for Geelong North well knows, as part of that commitment not only will the government hold cabinet meetings in Melbourne but it will also take what is called a community cabinet to regional and country Victoria on a regular basis.

The community cabinet proposed by the government will be modelled on the system adopted by the Beattie government, which has operated successfully in regional Queensland. I inform the honourable member for Geelong North that, as a result of his representations and those of the new member for Geelong, the government's first community cabinet will be held in Geelong.

The agenda will be long because the government has a significant plan for Geelong which includes, as the honourable members for Geelong North and Geelong will be aware, upgrading the rail track and increasing the frequency of trains from Geelong to Melbourne to ensure a 45-minute trip. The government also plans to upgrade the mall and the central part of the Geelong business district. A feasibility study will be undertaken immediately into construction of a the bypass into Geelong, and efforts will be made to ensure that the Princes Highway is upgraded as soon as possible.

I am looking forward to it, as distinct from opposition members, who do not give two hoots about country and regional Victoria. They do not listen; they have not learnt how to listen. They have not learnt how to ask questions: they did not ask one question in their own cabinet or party room. They have been so compliant

that it is no wonder they are having trouble during question time.

Before the end of the year we will have a community cabinet meeting in Geelong as part of a wide-ranging program of listening to the concerns of regional Victoria — and not just listening but acting and implementing and making sure that we deliver on those things we said we would deliver on during the campaign.

### **Budget: ALP commitment**

**Ms ASHER** (Brighton) — Will the Premier and Treasurer stand by Labor's election commitment to have operating surpluses of \$101 million, \$328 million, \$321 million and \$239 million in consecutive years over the next four financial years?

**Mr BRACKS** (Premier) — I will not be debating this intriguing and interesting question, but it reaffirms what was said by the Governor in his speech today — and that was reaffirmed during the campaign. The reference was to a surplus of \$101 million in the first year. I can give an assurance to the house and to the shadow Treasurer. We may vary that; it is a minimum figure. I expect we will go much higher. That is my aim: we will go much higher with the surplus. We will have a guaranteed — —

**Ms Asher** interjected.

**Mr BRACKS** — You'll get your answer if you are patient and wait. We will guarantee that which we have committed to — the surplus over the four years. But my aim as Treasurer and Premier is to do better on savings and on reducing the waste and mismanagement of the previous government that we have already identified — the waste in advertising, the waste in excessive consultancies, the waste in the number of senior executive service numbers, and the waste in credit cards. We will do better in cutting into the waste which the shadow Treasurer and the Leader of the Opposition were part of when in government. We will make sure not only that we deliver the surplus but that we do better in the future.

### **Rural Victoria: coalition policy**

**Mr ROBINSON** (Mitcham) — I refer the Minister for State and Regional Development to the criticism of the former government by the new member for Wimmera, who said during the recent state election campaign:

I don't think they've done enough for country people.

Does the minister agree with those comments, and will he advise the house of the latest information on the economic situation in regional and rural Victoria?

**Mr McNamara** — On a point of order, Mr Speaker, the way the question was phrased seeks an opinion of the minister. Perhaps the member should rephrase the question. I ask you to rule on that point.

**The SPEAKER** — Order! The question was seeking an opinion. When asking a question a member should seek information, not an opinion. I ask the honourable member to rephrase his question.

**Mr ROBINSON** — I am happy to rephrase the question. Will the minister inform the house of the latest information on the economic situation in regional and rural Victoria?

*Honourable members interjecting.*

**The SPEAKER** — Order! I advise the Minister for State and Regional Development that the question appears to be very broad. He should not use the opportunity to canvass a wide range of issues but rather restrict himself to answering the question.

**Mr BRUMBY** (Minister for State and Regional Development) — My attention has been drawn to comments made by the honourable member for Wimmera during the recent state election campaign. I have to say how right he was in his comments and how honest he was in his assessment of the policies of the previous Kennett coalition government.

The current facts concerning the economy in country Victoria confirm just how appallingly the previous government focused its efforts in regional Victoria. The latest employment statistics show that over the past three years to the end of the June 1999 financial year employment in Melbourne grew by around 92 000 jobs, while employment in regional Victoria grew by only 1900 jobs. Only 1900 jobs were created in regional Victoria under the former coalition government in its last three years.

The tragedy of that figure is that in country Victoria today there are still regions of our state where unemployment is at double-digit levels, despite seven years of unprecedented international and national economic growth.

The latest Australian Bureau of Statistics (ABS) figures show that in the year ending September 1999 the number of full-time jobs in regional and rural Victoria declined by 0.2 per cent. Therefore, on the policies of the previous government, not only in the long term has

there been barely any job growth at all, but in the last year immediately preceding the election the number of full-time jobs in regional Victoria declined by 0.2 per cent.

Those figures are confirmed in the recent report of the Building Control Commission, released by the previous government. The report, which provides private sector investment figures, shows that last year just 10 per cent of new commercial building investment and 16 per cent of new retail building investment occurred in regional Victoria, despite the fact that regional Victoria accounts for more than a quarter of the state's population.

The tragedy of that is totally predictable because if you close 178 schools and 12 hospitals, decimate 6 country rail lines and pour capital works funding into Melbourne with a city-centric approach, that is exactly the outcome you will get. That is the former coalition government's legacy to country Victoria.

I was amazed today to hear the new Leader of the Opposition refer to a partnership with the National Party. That partnership is a bit like Gerry Gee and Ron Blaskett. We know who is pulling the strings!

**Mr Leigh** — On a point of order, Mr Speaker — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The honourable member for Mordialloc, on a point of order.

**Mr Leigh** — Mr Speaker, I suggest that you bring the honourable member for Broadmeadows back to the point. The honourable member is debating the question and referring to what the opposition was doing. Question time concerns what the government is doing, and perhaps, Mr Speaker, you could bring the minister back to the point rather than allowing him to debate the matter.

**The SPEAKER** — Order! The minister's comments were relevant, but towards the end of his contribution he was straying into debating the question. I ask the minister to come back to the answer.

**Mr BRUMBY** — The new Bracks government has to fix up the mess left by the previous government. Before I was rudely interrupted I was referring to the partnership: it is like Gerry Gee and Ron Blaskett. We know who is pulling the strings and we know who the dummy is!

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister is now starting to debate the question. Unless he answers the question I will ask him to sit down.

**Mr BRUMBY** — In response to an earlier question today the Premier outlined Labor's plans to rebuild country Victoria, and they are essential plans for the future of Victoria. The government is committed to building all of Victoria: \$170 million has been allocated for the regional infrastructure development fund; an extra \$120 million has been allocated for country road black spot programs, which is something the previous government never attempted to do; and an additional \$80 million has been allocated for a provincial city rail improvement program. That represents the largest single investment in rebuilding country Victoria that has been seen for many years.

The extraordinary thing is that National Party members have come into the chamber today wearing their Victorian badges. These are the badges invented by the former Premier of Victoria, who described Melbourne as the heart of our state and the regions as the toenails.

*Honourable members interjecting.*

**Mr BRUMBY** — You are guilty by your own admission. We will fix up your mess and begin the task of rebuilding country Victoria.

**Mr McArthur** — On a point of order, Mr Speaker, I seek your assistance and perhaps an explanation from you on the position the Chair intends to take during questions without notice during this session of Parliament. During the past two parliaments, of which I was a member, it has been the tradition for the Chair to restrict ministers' responses to between 3 and 4 minutes, and when ministers strayed beyond that time it was the practice of the Chair to draw that guideline to their attention. Speakers Delzoppo and Plowman did that on many occasions.

I listened carefully to your statements when you took the chair, Mr Speaker, and I welcome your appointment. I seek from you an outline of the policy you will implement on ministers who deliberately try to talk out question time. The minister who has just completed his response took more than 7 minutes and debated the question a number of times. In my view the minister deliberately attempted to talk out question time.

I seek from you, Mr Speaker, an outline of the policy you will adopt during this session of Parliament on ministers who do that type of thing and the sorts of rulings we can expect to apply in the house.

**Mr Batchelor** — On the point of order, Mr Speaker, and to assist you in your deliberations in answering this point of order, my recollection is that some eight questions were asked during a 30-minute question time. Numerous points of order were taken, including some during the last answer, thus exacerbating the situation and extending the answer. The other answers were succinct. That provided additional time within the 30-minute time limit. If our sessional orders were in place there would have been an opportunity to ask more questions.

**The SPEAKER** — Order! There is no point of order, but since the honourable member for Monbulk has asked for my guidance on this matter I point out that, as I have stated to the house today and publicly over a long period, it is my view that the time of the house could be better utilised if all members made shorter contributions. I am of the firm belief that most of us, including myself, sometimes take three to four times the length of time required to make a statement in contributing to a debate or answering a question.

It is my desire to ensure that members' contributions are brief to allow as many members as possible to participate in debates and ask questions. I see from the log I have taken that eight questions were asked in a half-hour question session. That stands up against anything the house has achieved in the past. Of course, the house is its own master in deciding how it will deal with this important matter.

## NOTICES OF MOTION

**The SPEAKER** — Order! Are there any notices of motion?

### Notices of motion given.

**Mr THWAITES** (Minister for Health) — I desire to give notice that on the next day of sitting I will move:

That this house condemns the previous government for its mismanagement of the public hospital system and its disastrous privatisation of health services and congratulates the new government for its commitment to put an end to privatisation of our health system and to improve services to ordinary Victorians.

**Mr McArthur** — On a point of order, Mr Speaker, have you called notices of motion, government business or notices of motion, general business?

**Mr Batchelor** — Clearly, government ministers are giving government notices of motion. Although some opposition members may be taking the call prematurely and being out of order that does not diminish the fact

that ministers are moving government notices of motion. I assume that opposition members are moving general business notices of motion. Those are the standing orders. If opposition members wish to wait until the notices of motion properly appear on the notice paper they should not stand up now.

**The SPEAKER** — Order! Notices given by a minister are treated as government business motions. Notices given by other honourable members are treated as general business motions.

**Mr McArthur** — On a further point of order, Mr Speaker, I ask you to look at the type of business ministers in many previous Parliaments have introduced as government business. The last two motions introduced by ministers are clearly framed and worded as general business motions and not government business motions, which normally introduce bills.

**The SPEAKER** — Order! Upon advice, the ruling from the Chair is that when a minister gives notice it is treated as government business.

**Ms DELAHUNTY** (Minister for Education) — I desire to give notice that tomorrow I will move — —

**Mr Wells** — On a point of order, Mr Speaker, this side of the house should have the call.

**The SPEAKER** — Order! Government business is normally called first and all ministers are given the opportunity to give notice. I have been calling either side of the house and have indicated that other notices will be listed under general business. If the Chair were to stick with tradition it would call government ministers first and then other honourable members.

As this appears to have caused some apprehension today, the Chair will adhere to that tradition by calling government ministers first and then other honourable members.

### Further notice of motion given.

**Mr HAERMEYER** (Minister for Police and Emergency Services) — I desire to give notice that tomorrow I will move:

That the house congratulates the Bracks Labor government for its commitment to improving community safety by increasing — —

**Mr Leigh** — On a point of order, Mr Speaker, during the time I have been a member of the house the government has introduced bills one day, read the second-reading speeches the next day, the debates are

adjourned for two weeks and the house then debates the legislation. I ask the Chair to clarify whether the house will spend the next week simply debating notices of motion or will it be debating legislation?

**Mr Batchelor** — On the point of order, Mr Speaker, ministers are indicating their desire to move government motions. I can well understand if the opposition has not prepared many notices of motion because its members have not yet learnt how difficult it is to initiate general business while in opposition. The government is indicating its desire to move motions under the standing orders. It is entitled to do it, and it is doing it.

**Mr Perton** — On the point of order, Mr Speaker, the house has clear precedents on government business, particularly relating to rulings about question time. In question time the Chair clearly rules the government is not dealing with government business if it spends its time attacking the opposition. The Chair has been clear in its rulings today, and previous Speakers have been clear about it. The business of government is legislation and administration. It is not about moving motions condemning the opposition. It is clear that this is a complete misuse of the form of the house. Through the Governor today the government indicated that it had an important legislative program. It said the fundamental task of its government program involved a commitment to deliver the promises under the charter.

So far there has not been one notice of motion in respect of a bill. The government promised the Independents it would introduce legislation with respect to the Auditor-General, freedom of information and to implement its own program. The government's actions are a flagrant abuse of the forms of the house. It is bereft of ideas. It is surprised it has been elected and does not have legislation to bring before the house. What is happening is not a proper use of government business.

*Honourable members interjecting.*

**The SPEAKER** — Order! I am prepared to rule on the point of order. The Chair is not in a position to direct government ministers on what types of notices they should give. There is ample precedent for a government minister having given notice and its being listed under government business, which covers all sorts of subject matter. There is no point of order.

**Mr Ashley** — On the point of order, Mr Speaker, standing order 62(b) states:

Any motion not seconded may not be further debated ...

The notice of motion has not been seconded.

**The SPEAKER** — Order! There is no point of order. The ministers are moving notices of motion, which will be seconded when the questions are before the house for debate.

**Further notices of motion given.**

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Auditor-General's office

**Mr BATCHELOR (Minister for Transport)** presented review of report on performance audit of June 1999.

Laid on table.

Ordered to be printed.

### Auditor-General

**Mr BATCHELOR (Minister for Transport)** presented review of reports nos 39 to 41 of June 1999.

Laid on table.

Ordered to be printed.

### Environmental accounting and reporting

**Mr BATCHELOR (Minister for Transport)** presented interim report of June 1999, together with minutes of evidence.

Laid on table.

Ordered that report be printed.

## ROAD SAFETY COMMITTEE

### Pedestrian accidents

**Mr RICHARDSON (Forest Hill)** presented report of June 1999, together with minutes of evidence.

Laid on table.

Ordered that report be printed.

**SCRUTINY OF ACTS AND REGULATIONS  
COMMITTEE**

**Redundant and unclear legislation**

**Mr BATCHELOR (Minister for Transport) presented report on Unlawful Assemblies and Processions Act, together with minutes of evidence.**

**Laid on table.**

**Ordered that report be printed.**

**BLF CUSTODIAN**

**44th report**

**The SPEAKER presented reports given to his predecessor pursuant to section 7A of BLF (De-recognition) Act 1985 by the custodian appointed under section 7(1) of that act.**

**Laid on table.**

**Ordered to be printed.**

**PAPERS**

**Laid on table by Clerk:**

A.C.N. 065 325 206 Ltd (Formerly Ecogen Energy Ltd) — Report for the period 1 July 1998 to 29 June 1999

Adult, Community and Further Education Board — Report for the year 1998–99

Aluminium Smelters of Victoria Pty Ltd — Report for the period 1 July 1998 to 21 August 1998

Anti-Cancer Council — Report for the year 1998

Architects Registration Board of Victoria — Report for the year 1998–99

Audit Victoria — Report for the year 1998–99

Australian Grand Prix Corporation — Report for the year 1998–99

Australian Power Exchange Pty Ltd — Report for the period 1 July 1998 to 31 March 1999

Board of Studies — Report for the year 1998–99

Building Control Commission — Report for the year 1998–99

Cinemedia Corporation — Report for the year 1998–99

Constitution Act (Amendment) Act 1958 — Statements of functions conferred by the Electoral Commissioner, dated 10 August 1999

Country Fire Authority — Report for the year 1998–99

Docklands Authority — Report for the year 1998–99

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

Amendment Nos 3 and 4 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 13

Notices regarding the amendments, commencement and availability of the Poisons Code

Education Department — Report for the year 1998–99

Emerald Tourist Railway Board — Report for the year 1998–99

Emergency Services Superannuation Scheme — Report for the year 1998–99

Environment Protection Act 1970:

Order varying State Environment Protection Policy (Waters of Victoria) (*Government Gazette No. S89, 22 June 1999*)

Order declaring Industrial Waste Management Policy (Waste Acid Sulfate Soils) (*Government Gazette No. S125, 18 August 1999*)

Financial Management Act 1994:

Reports from the Minister for Conservation and Land Management that she had received the 1997–98 Annual Reports of the:

Central Murray Regional Waste Management Group

Eastern Regional Waste Management Group

Goulburn Valley Regional Waste Management Group

North East Victorian Regional Waste Management Group

Reports from the Minister for Conservation and Land Management that she had received the 1997–98 Audit Reports of the:

Desert Fringe Victorian Regional Waste Management Group

Eastern Regional Waste Management Group

Highlands Regional Waste Management Group

Mildura Regional Waste Management Group

Mornington Peninsula Regional Waste Management Group

Report of the Minister for Finance and Assistant Treasurer that he had not received the following 1998–99 Annual Reports, together with notification of the reasons for the delays:

*Department of Human Services*

Department of Human Services

Advanced Dental Technicians Qualifications Board

Chiropractors Registration Board

Dental Technicians Licensing Committee

|   |  |
|---|--|
| Infertility Treatment Authority                 | Kyabram and District Memorial Community Hospital |
| Mental Health Review Board of Victoria          | Kyneton District Health Service                  |
| Nurses Board of Victoria                        | Latrobe Regional Hospital                        |
| Optometrists Registration Board                 | Lorne Community Hospital                         |
| Pharmacy Board of Victoria                      | Maffra District Hospital                         |
| Physiotherapists Registration Board of Victoria | Maldon Hospital                                  |
| Podiatrists Registration Board of Victoria      | Mallee Track Health and Community Service        |
| Psychologists Registration Board of Victoria    | Manangatang and District Hospital                |
| Victorian Health Promotion Foundation           | Mansfield District Hospital                      |
| Health Computing Service Victoria Ltd           | McIvor Health and Community Services             |
| Healthit Limited                                | Mercy Public Hospitals Incorporated              |
| Ambulance Officers' Training Centre             | Mildura Base Hospital                            |
| Alexandra and District Ambulance Service        | Mt Alexander Hospital                            |
| Ambulance Service Victoria                      | Nathalia District Hospital                       |
| Metropolitan Ambulance Service                  | North Western Health Care Network                |
| Alexandra District Hospital                     | Numurkah District Health Service                 |
| Austin and Repatriation Medical Centre          | O'Connell Family Centre (Grey Sisters)           |
| Alpine Health                                   | Omeo District Hospital                           |
| Bairnsdale Regional Health Service              | Otway Health and Community Services              |
| Ballarat Health Services                        | Peninsula Health Care Network                    |
| Barwon Health                                   | Port Fairy Hospital                              |
| Beaufort and Skipton Health Service             | Portland and District Hospital                   |
| Beechworth Hospital                             | Queen Elizabeth Centre, The                      |
| Benalla and District Memorial Hospital          | Robinvale District Hospital and Health Services  |
| Bendigo Healthcare Group                        | Rochester and Elmore District Health Service     |
| Bethlehem Hospital Incorporated                 | Seymour District Memorial Hospital               |
| Boort District Hospital                         | South Gippsland Hospital                         |
| Caritas Christi Hospice Ltd                     | Southern Health Care Network                     |
| Casterton Memorial Hospital                     | St Vincent's Hospital (Melbourne) Ltd            |
| Central Wellington Health Service.              | Stawell District Hospital                        |
| Cobram District Hospital                        | Swan Hill District Hospital                      |
| Cohuna District Hospital                        | Tallangatta Hospital                             |
| Colac Community Health Services                 | Terang and Mortlake Health Service               |
| Coleraine and District Hospital                 | Timboon and District Healthcare Service          |
| Corangamite Regional Hospital Services          | Tweddle Child and Family Health Service          |
| Dental Health Services Victoria                 | Upper Murray Health and Community Services       |
| Djerriwarrh Health Services                     | Wangaratta District Base Hospital                |
| Dunmunkle Health Services                       | Warracknabeal District Hospital                  |
| East Grampians Health Services                  | Warmambool and District Base Hospital            |
| Echuca Regional Health                          | West Gippsland Healthcare Group                  |
| Edenhope and District Memorial Hospital         | Western District Health Service                  |
| Far East Gippsland Health and Support Service   | Wimmera Health Care Group                        |
| Gippsland Southern Health Service               | Wodonga Regional Health Service                  |
| Goulburn Valley Health                          | Women's and Children's Health Care Network       |
| Hepburn Health Service                          | Wonthaggi and District Hospital                  |
| Hesse Rural Health Service                      | Wycheproof and District Health Service           |
| Heywood and District Memorial Hospital          | Yarram District Health Service                   |
| Inglewood Hospital                              | Yarrowonga District Hospital                     |
| Inner and Eastern Health Care Network           | Yea and District Memorial Hospital               |
| Kerang and District Hospital                    |  |
| Kilmore and District Hospital                   |  |
| Koo Wee Rup Regional Health Service             |  |
|   | <i>Portfolio — Department of Infrastructure</i>  |
|   | Met Train 1 (formerly Bayside Trains)            |

Met Tram 1 (formerly Swanston Trams)  
 Met Tram 2 (formerly Yarra Trams)  
 V/Line Freight Corporation  
 V/Line Passenger Corporation

*Portfolio — Justice*

Department of Justice  
 Equal Opportunity Commission  
 Legal Ombudsman  
 Legal Practice Board  
 Office of Public Prosecutions  
 Public Advocate, Office of the  
 Victoria Legal Aid  
 Victorian Electoral Commission  
 Victorian Institute of Forensic Medicine  
 Queen Victoria Women's Centre Trust  
 Police Board of Victoria  
 Victoria Police

*Portfolio — Natural Resources and Environment*

Agriculture Victoria Services Pty Ltd  
 Alpine Resorts Co-ordinating Council  
 Australian Food Industry Science Centre  
 Bairnsdale Regional Waste Management Group  
 Barwon Region Water Authority  
 Casey's Weir and Major Creek Rural Water  
 Authority  
 Catchment Management Council  
 Central Gippsland Region Water Authority  
 Central Highlands Region Water Authority  
 Coliban Region Water Authority  
 Corangamite Catchment Management Board  
 East Gippsland Catchment Management Authority  
 East Gippsland Region Water Authority  
 Eastern Regional Waste Management Group  
 EcoRecycle Victoria  
 Emu Industry Development Committee  
 Energy Efficiency Victoria (Renewable Energy)  
 Environment Conservation Council  
 Environment Protection Authority  
 Falls Creek Alpine Resort Management Board  
 First Mildura Irrigation Trust  
 Gippsland and Southern Rural Water Authority  
 Glenelg Region Water Authority  
 Glenelg–Hopkins Catchment Management  
 Authority  
 Goulburn Broken Catchment Management  
 Authority  
 Goulburn Valley Region Water Authority  
 Goulburn–Murray Rural Water Authority  
 Grampians Region Water Authority  
 Lake Mountain Alpine Resort Management Board  
 Lower Murray Region Water Authority

Mallee Catchment Management Authority  
 Melbourne Parks and Waterways  
 Mt Baw Baw Alpine Resort Management Board  
 Mt Buller Alpine Resort Management Board  
 Mt Hotham Alpine Resort Management Board  
 Mt Stirling Alpine Resort Management Board  
 Murray Valley Citrus Marketing Board  
 Murray Valley Wine Grape Industry Development  
 Committee  
 National Parks Advisory Council  
 North Central Catchment Management Authority  
 North East Catchment Management Authority  
 North East Region Water Authority  
 Northern Regional Waste Management Group  
 Northern Victorian Fresh Tomato Industry  
 Development Committee  
 Parks Victoria  
 Phillip Island Nature Park Board of Management  
 Portland Coast Region Water Authority  
 Royal Botanic Gardens  
 South Eastern Regional Waste Management Group  
 South Gippsland Region Water Authority  
 South West Water Authority  
 Sunraysia Rural Water Authority  
 Trust for Nature  
 Veterinary Practitioners Registration Board of  
 Victoria (1/1–31/12)  
 Victorian Broiler Industry Negotiating Committee  
 Victorian Dairy Industry Authority  
 Victorian Strawberry Industry Development  
 Committee  
 Waste Management Council  
 Water Training Centre  
 West Gippsland Catchment Management  
 Authority  
 Western Region Water Authority  
 Western Regional Waste Management Group  
 Westernport Region Water Authority  
 Wimmera Catchment Management Authority  
 Wimmera–Mallee Rural Water Authority  
 Yarra Bend Park Trust

*Portfolio — Premier and Cabinet*

Department of Premier and Cabinet  
 Council of Trustees of the National Gallery of  
 Victoria  
 Office of Public Employment  
 Office of the Ombudsman  
 Victorian Arts Centre Trust  
 Victorian Multicultural Commission  
 Victorian Relief Committee

*Portfolio — Treasury and Finance*

Department of Treasury and Finance

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|--|--|
| Chief Electrical Inspector, Office of the Gascor Holdings No. 3 Pty Ltd  | Notice under s 32(3)(a)(iii) in relation to Statutory Rule No. 87  |
| Local Authorities Superannuation Board   | Notice under s 32(4)(a)(iii) in relation to an Order varying State Environment Protection Policy (Waters of Victoria) ( <i>Government Gazette No. 34, 26 August 1999</i> )                             |
| Office of the Regulator-General  |  |
| South East Medical Complex Ltd   | Notice under s 32(4)(a)(iii) in relation to Amendment No. 4 of the Building Code of Australia 1996   |
| State Trustees Limited   |  |
| Transmission Pipelines Australia (Holdings) Pty Ltd  | Legal Practitioners Liability Committee — Report for the year 1998–99  |
| Transport Accident Commission  |  |
| Victorian Plantations Corporation  | Library Board of Victoria — Report for the year 1998–99  |
| Victorian Superannuation Board   |  |
| Western Underground Gas Storage (WUGS Pty Ltd)   | Liquor Licensing Commission — Report for period 1 July 1998 to 17 February 1999  |
| Report from the Minister for Health that he had received the Report for the 11-month period ended 30 November 1998 of the Chiropractors Registration Board | Longford Royal Commission (Report) Act 1999 — Report of the Longford Royal Commission — The Esso Longford Gas Plant Accident — Ordered to lie on the Table and to be printed                           |
| Report from the Minister for Health that he had received the Report for the year ended 30 September 1998 of the Dental Board                               | Loy Yang B Power Station Pty Ltd — Report for the year 1998–99   |
| Fisheries Co-Management Council — Report for the year 1998–99  | Marine Board of Victoria — Report for the year 1998–99   |
| Gas Release Co Pty Ltd — Report for the year 1998–99   | Melbourne City Link Act 1995 — Notification from the Minister for Planning and Local Government of the following Agreements and Statements of Variation which amend the Melbourne City Link Agreement: |
| Gas Safety Office — Report for the year 1998–99  | Sixth Amending Deed (dated 20 July 1999)   |
| Gas Services Business Pty Ltd — Report for the year 1998–99  | Seventh Amending Deed (dated 5 August 1999)  |
| Gas Transmission Corporation — Report for the year 1998–99   | Eighth Amending Deed (dated 12 August 1999)  |
| Gascor — Report for the year 1998–99   | City Link and Extension Projects Integration and Facilitation Agreement Second Amending Deed (20 July 1999)  |
| Gascor Holdings No. 1 Pty Ltd — Report for the period 1 July 1998 to 30 March 1999   | Statement of Variation No. 4/1999: Changes to the Project Scope and Technical Requirements, Request for Change No. 4 (RevA)  |
| Gascor Holdings No. 2 Pty Ltd — Report for the period 1 July 1998 to 24 February 1999  | Statement of Variation No. 5/1999: Changes to the Project Scope and Technical Requirements, request for Change No. 7 (RevA)  |
| Gasmart (Vic) Pty Ltd — Report for the period 1 July 1998 to 31 March 1999   | Statement of Variation No. 6/1999: Changes to the Project Scope and Technical Requirements, Request for Change No. 8   |
| Generation Victoria (Ecogen Energy) — Financial Statement for the year 1998–99   | Statement of Variation No. 7/1999: Changes to the Project Scope and Technical Requirements, Request for Change No. 9   |
| Geelong Performing Arts Centre Trust — Report for the year 1998–99   | Statement of Variation No. 8/1999: Changes to the Project Scope and Technical Requirements, Request for Change No. 10  |
| Greyhound Racing Control Board — Report for the year 1998–99   | Orders pursuant to s 8(4) increasing the Project Area (two orders)   |
| Harness Racing Board — Report for the year 1998–99   | Melbourne City Link Authority — Report for the year 1998–99  |
| Hastings Port (Holding) Corporation — Report for the year 1998–99  |  |
| Heritage Council — Report for the year 1998–99   |  |
| Infrastructure Department — Report for the year 1998–99  |  |
| Interpretation of Legislation Act 1984:  |  |

Melbourne Convention and Exhibition Trust — Report for the year 1998–99

Melbourne Market Authority — Report for the year 1998–99 (two papers)

Melbourne Port Corporation:

Report for the year 1998–99

Financial Statements for the year 1998–99

Melbourne Port Corporation — Report for the year 1998–99

Melbourne Water Corporation — Report for the year 1998–99

Members of Parliament (Register of Interests) Act 1978:

Summary of Returns June 1999 and Summary of Variation Notified between 27 May and 30 September 1999 — Ordered to be printed

Cumulative Summary of Returns September 1999 — Ordered to be printed

MET TRAIN 2 (formerly Hillside Trains) — Report for the year 1998–99

Metropolitan Fire and Emergency Services Board — Report for the year 1998–99

Museums Board of Victoria — Report for the year 1998–99

National Power Exchange Pty Ltd — Report for the period 1 July 1998 to 31 March 1999

Natural Resources and Environment Department — Report for the year 1998–99 (two papers)

Overseas Projects Corporation of Victoria Ltd — Report for the year 1998–99

Parliamentary Committees Act 1968 — Response of the Minister for Finance on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Report on the Information Technology and the Year 2000 Problem — Is the Victorian Public Sector Ready?

Parliamentary Contributory Superannuation Fund — Report for the year 1998–99

Parliamentary Officers Act 1975:

Statement of Appointments and Alterations of Classifications during the year 1998–99 in the:

Department of the Legislative Council  
 Department of the Legislative Assembly  
 Department of the Parliamentary Library  
 Department of the Parliamentary Services  
 Department of the Reporting Staff of the Victorian Parliamentary Debates

Statement of Persons Temporarily Employed during the year 1998–99 in the:

Department of the Legislative Council  
 Department of the Legislative Assembly

Department of the Parliamentary Library

Department of the Parliamentary Services

Department of the Reporting Staff of the Victorian Parliamentary Debates

Planning and Environment Act 1987:

Notices of approval of the following new Planning Schemes:

Alpine Planning Scheme  
 Banyule Planning Scheme  
 Brimbank Planning Scheme  
 Cardinia Planning Scheme  
 Casey Planning Scheme  
 Colac Otway Planning Scheme  
 Corangamite Planning Scheme  
 Delatite Planning Scheme  
 East Gippsland Planning Scheme  
 Gannawarra Planning Scheme  
 Glen Eira Planning Scheme  
 Greater Shepparton Planning Scheme  
 Melton Planning Scheme  
 Moira Planning Scheme  
 Mount Alexander Planning Scheme  
 Southern Grampians Planning Scheme  
 Strathbogie Planning Scheme  
 Swan Hill Planning Scheme  
 Towong Planning Scheme  
 Whitehorse Planning Scheme  
 Whittlesea Planning Scheme  
 Wodonga Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

All Planning Schemes — Nos S82, S83  
 Alpine Resorts Planning Scheme — No. C3  
 Ararat Planning Scheme — No. L5  
 Avon Planning Scheme — No. L12  
 Bacchus Marsh Planning Scheme — No. L59  
 Bairnsdale (Shire) Planning Scheme — No. L63  
 Ballan Planning Scheme — Nos L19, L20  
 Ballarat Planning Scheme — Nos C2, C3, C6, C18  
 Banyule Planning Scheme — Nos C2, L28  
 Bayside Planning Scheme — No. L22  
 Belfast Planning Scheme — No. L17  
 Berwick Planning Scheme — Nos L134, L144  
 Boroondara Planning Scheme — Nos L42, L47, L53, L54, L59, L61, L63, L64  
 Brimbank Planning Scheme — No. C2, L46, L68, L70  
 Campaspe Planning Scheme — No. C5  
 Cardinia Planning Scheme — No. C1  
 Cranbourne Planning Scheme — No. L216  
 Darebin Planning Scheme — Nos L60, L62, L66, L70, L72, L73, L74, L75

- Doncaster and Templestowe Planning Scheme — Nos L141, L142
- Frankston Planning Scheme — Nos L105, L109, L115, L116
- Glen Eira Planning Scheme — No. L37
- Glenelg Planning Scheme — No. C1
- Greater Bendigo Planning Scheme — Nos L81, L87
- Greater Dandenong Planning Scheme — No. C3
- Greater Geelong Planning Scheme — No. R236, R246, RL185, RL237
- Hobsons Bay Planning Scheme — No. L15
- Hume Planning Scheme — No. L57
- Indigo Planning Scheme — No. C2
- Kingston Planning Scheme — Nos L50, L51, L53
- Knox Planning Scheme — Nos L156, L183, L185, L187
- Maribymong Planning Scheme — No. L38
- Maroondah Planning Scheme — Nos L32, L37
- Melbourne Planning Scheme — Nos C3, C4, C5, C6, C7, C9
- Mildura (Shire) Planning Scheme — No. L48
- Moe Planning Scheme — Nos L48, L49
- Moira Planning Scheme — Nos C1, L30
- Monash Planning Scheme — No. L54
- Moonee Valley Planning Scheme — Nos C2, C3, C6
- Moreland Planning Scheme — Nos L64, L65
- Mornington Peninsula Planning Scheme — Nos C1, C2
- Mount Alexander Planning Scheme — No. C2
- Murrindindi Planning Scheme — No. C2
- Nillumbik Planning Scheme — Nos L20, L24, L25
- Pakenham Planning Scheme — No. L172
- Phillip Island Planning Scheme — No. L78
- Port of Melbourne Planning Scheme — No. L31
- Port Phillip Planning Scheme — No. C9
- Rosedale Planning Scheme — No. L53
- Shepparton City Planning Scheme — No. L63
- Sherbrooke Planning Scheme — No. L139
- Stawell (City) Planning Scheme — No. L34
- Stonnington Planning Scheme — Nos L39, L47 Part A, L48, L49, L50, L52, L53, L55, L78, L81, L83, L84, L91, L92
- Surf Coast Planning Scheme — Nos L57, R55, R58
- Swan Hill Shire Planning Scheme — No. L26
- Victoria Planning Provisions — No. VC7
- Warmnambool Planning Scheme — No. C1
- Whitehorse Planning Scheme — Nos C1, C5
- Woorayl Planning Scheme — No. L60
- Yarra Planning Scheme — Nos C1, C5, C7
- Yarra Ranges Planning Scheme — Nos L100, L105, L108, L111
- Plumbing Industry Board — Report for the period 1 July 1998 to 31 December 1998
- Plumbing Industry Commission — Report for the period 1 January 1999 to 30 June 1999
- Police Review Commission — Report for the year 1998–99
- Prevention of Cruelty to Animals Act 1986:
- Australian Code of Practice for the Care and Use of Animals for Scientific Purposes
  - Code of Practice for the Land Transport of Horses (Victoria)
  - Code of Practice for the Land Transport of Poultry (Victoria)
  - Code of Practice for the Land Transport of Pigs (Victoria)
  - Variation of the Code of Accepted Farming Practice for the Welfare of Livestock — Transport of Livestock (1985)
- Public Record Office — Report for the year 1998–99
- Public Transport Corporation — Report for the year 1998–99
- Quiet Life Limited — Report for the year 1998–99
- Renewal Energy Authority Victoria — Report for the year 1998–99
- Roads Corporation (VicRoads) — Report for the year 1998–99
- Royal Botanic Gardens Board — Report for the year 1998–99 (two papers)
- Rural Finance Corporation of Victoria — Report for the year 1998–99
- South East Water Limited — Report for the year 1998–99
- Stamps Act 1958 — Report of exemptions approved and refunds made pursuant to s 137R for the year 1998–99
- State Development Department — Report for the year 1998–99
- State Electricity Commission of Victoria — Report for the year 1998–99
- State Training Board — Report for the year 1998–99
- Statutory Rules under the following Acts:
- Accident Compensation Act 1985 — SR No. 91
  - Building Act 1993 — SR No. 74
  - County Court Act 1958 — SR Nos 78, 79, 114
  - Country Fire Authority Act 1958 — SR No. 92
  - Credit (Administration) Act 1984 — SR No. 105
  - Crimes Act 1958 — SR Nos 70, 113
  - Docklands Authority Act 1991 — SR Nos 73

|  |   |
|--|---|
| Drugs, Poisons and Controlled Substances Act 1981 — SR No. 107   | Treasury Corporation of Victoria — Report for the year 1998–99                |
| Fair Trading Act 1999 — SR No. 103   | Tricontinental Holdings Limited and Subsidiaries — Report for the year 1998   |
| Financial Institutions Duty Act 1982 — SR No. 89   | Urban Land Corporation — Report for the year 1998–99                          |
| Firearms Act 1996 — SR No. 102   | Vencorp (Victorian Energy Networks Corporation) — Report for the year 1998–99 |
| Fisheries Act 1995 — SR Nos 90, 109  | Victims of Crime Assistance Tribunal — Report for the year 1998–99            |
| Friendly Societies Act 1996 — SR No. 72  | Victoria Grants Commission — Report for the year ended 31 August 1999         |
| Fundraising Appeals Act 1998 — SR No. 83   | Victorian Casino and Gaming Authority — Report for the year 1998–99           |
| Gas Industry Act 1994 — SR Nos 76, 77  | Victorian Channels Authority — Report for the year 1998–99                    |
| Gas Safety Act 1997 — SR Nos 99, 100   | Victorian Civil and Administrative Tribunal — Report for year 1998–99         |
| Health Act 1958 — SR No. 108   | Victorian Coastal Council — Report for the year 1998–99                       |
| Health Services Act 1988 — SR No. 95   | Victorian Electricity Metering Pty Ltd — Report for the year 1998–99          |
| Liquor Control Reform Act 1998 — SR No. 62   | Victorian Funds Management Corporation — Report for the year 1998–99          |
| Local Government Act 1989 — SR No. 62  | Victorian Managed Insurance Authority — Report for the year 1998–99           |
| Magistrates' Court Act 1989 — SR No. 97  | Victorian Meat Authority — Report for the year 1998–99                        |
| Metropolitan Fire Brigades Act 1958 — SR No. 68  | Victorian Medical Consortium Pty Ltd — Report for the year 1998–99            |
| Motor Car Traders Act 1986 — SR No. 104  | Victorian Power Exchange Pty Ltd — Report for the year 1998–99                |
| Occupational Health and Safety Act 1985 — SR Nos 84, 94  | Victorian Rail Track — Report for the year 1998–99                            |
| Police Regulation Act 1958 — SR No. 101  | Victorian WorkCover Authority — Report for the year 1998–99                   |
| Public Transport Competition Act 1995 — SR No. 60  | Young Farmers' Finance Council — Report for the year 1998–99                  |
| Residential Tenancies Act 1997 — SR No. 88   | Zoological Parks and Gardens Board — Report for the year 1998–99.             |
| Road Safety Act 1986 — SR No. 59   |   |
| Shop Trading Reform Act 1996 — SR No. 62   |   |
| State Superannuation Act 1988 — SR No. 63  |   |
| Subordinate Legislation Act 1994 — SR Nos 67, 71, 75, 82, 85, 86, 93, 98, 111, 116, 119  |   |
| Supreme Court Act 1986 — SR Nos 96, 113, 117, 118  |   |
| The Constitution Act Amendment Act 1958 — SR No. 62  |   |
| Tobacco Act 1987 — SR Nos 87, 110  |   |
| Transport Accident Act 1986 — SR Nos 64, 65, 66  |   |
| Transport Act 1983 — SR Nos 61, 112  |   |
| Travel Agents Act 1986 — SR No. 106  |   |
| Victims of Crime Assistance Act 1996 — SR No. 69   |   |
| Victorian Civil and Administrative Tribunal Act 1998 — SR Nos 80, 115  |   |
| Zoological Parks and Gardens Act 1995 — SR No. 81  |   |
| Subordinate Legislation Act 1994:  |   |
| Ministers' exception certificates in relation to Statutory Rule Nos 67, 69, 70, 71, 78, 79, 80, 81, 85, 86, 93, 96, 97, 98, 113, 114, 115, 117, 118, 119 |   |
| Ministers' exemption certificates in relation to Statutory Rule Nos 59, 61, 62, 63, 64, 65, 66, 68, 72, 73, 75, 82, 87, 89, 92, 94, 101, 102, 108, 110   |   |
| Terec Limited — Report for the year 1998–99  |   |
| Tourism Victoria — Report for the year 1998–99 (two papers)  |   |

**ADMINISTRATION AND PROBATE  
(STATUTE LAW REVISION) 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 make minor amendments to the Administration and Probate Act 1958.

**Motion agreed to.**

**Read first time.**

## GOVERNOR'S SPEECH

### Address-in-reply

**The SPEAKER** — Order! I have to report to the house that this day I attended His Excellency the Governor in the Legislative Council chamber where His Excellency was pleased to make a speech to both houses of Parliament, 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.

**Ms ALLAN (Bendigo East)** — I move:

That the following address in reply to the speech of His Excellency the Governor to both houses of Parliament be agreed to by this house:

Your Excellency:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign and to thank Your Excellency for the speech which you have made to the Parliament.

I am proud to stand in this chamber today as the new member for Bendigo East and as the first Labor member to represent that electorate in the Victorian Parliament. I am also proud to be here today as the first woman to represent Bendigo in any Australian Parliament. I am delighted to enter the Victorian Parliament in a historic year in which for the first time Australians have the opportunity to vote for an Australian head of state.

I thank the people of Bendigo for electing me as their representative. I assure them that my key purpose in being a member of Parliament is to demonstrate that the best politicians are those who see themselves as true representatives of their electorates — that means caring about the people, listening to the people and speaking out for the people. I intend to listen, to discuss and to be a voice for the people of Bendigo East. I intend to make a difference for them.

Mr Speaker, I take this opportunity to congratulate you on your appointment. I congratulate the Premier, the Honourable Steve Bracks, on forming government. The government will give a fair go to all Victorians. As a country member of Parliament I say that after seven years of city-blinkered coalition rule the government's

distinctive role will be to recognise and appreciate the people of country Victoria, to place their needs back on the political agenda and to bring them back into the decision-making process.

As the first symbol of what is important to me as the member for Bendigo East I wear on my lapel the well-recognised poppet head — the logo for Bendigo, the city I was born in, live in, work in, love and now represent. Bendigo is a city with a golden past — a past that includes at least three generations of my family. Geographically my electorate of Bendigo East includes the urban area of Bendigo, including the central business district, a number of semi-rural suburbs that lie on the outskirts of the city, and its borders stretch out to include the small towns of Axedale, Goornong, Bridgewater and Raywood. It is a regional centre that services many small towns and is recognised as the capital of its region.

Bendigo is an educational centre that boasts high-quality primary and secondary schools, a campus of La Trobe University and the Bendigo Regional Institute of TAFE. It is a centre for essential health services. The Bendigo Health Care Group is Bendigo's biggest employer, and employs approximately 2200 people. Bendigo provides excellent and wide-ranging health and community services, including Loddon Mallee Women's Health, Bendigo Community Health Services and many other agencies, which provide care and support to our local and regional community.

Bendigo is a key centre for the arts, proudly boasting a magnificently restored art gallery, the historic Capital Theatre, a number of smaller regional galleries and a very talented population of musicians, dancers, singers, actors, writers and artists. It is a great sporting town. It has many premier sporting facilities and is known for developing talented sportsmen and sportswomen across every sporting field. The city is surrounded by a beautiful and unique natural environment that needs to be carefully preserved and nurtured, which is especially important given the pressures associated with development that regional centres such as Bendigo are facing.

The city is a major employment centre. Its people and its economy need more jobs. Regional development, which was just a public relations exercise under the previous administration, has to be and will be a priority of the Labor government. The former Kennett government and its federal colleagues have played havoc with jobs in the traditional areas of manufacturing, heavy engineering and the public service in the Bendigo district. The former Premier had

become so remote from the thinking on jobs of Bendigo people that he boasted during the election campaign that he was a prime mover behind the Howard government's privatisation of Australian Defence Industries — once Bendigo's biggest employer.

My electorate of Bendigo East experiences many of the social difficulties that many towns and regions in country Australia are experiencing. Conservative government slash-and-burn policies have been devastating for Bendigo, leaving the town with an unemployment level of 11.9 per cent. The figures are worse in the rural areas that bound Bendigo, including some that fall in my electorate. Youth unemployment is above 30 per cent in my region — an unacceptable level for any community.

Bendigo's traditional work force has been ravaged because of the previous government's policies of privatisation and public-sector downsizing. Labor estimates that 1800 jobs have been lost to the Bendigo district through Kennett and Howard government sell-offs and cuts to the public sector.

Country Victoria led a voting revolution at the recent election. People in my electorate said to me time and again, 'The Kennett government cares only about Melbourne. We are being forgotten and left behind'. That was not a myth. There are many symbols of the past seven years that represent the legacy of the Kennett government and its impact on country Victoria. It was not a myth that 98 per cent of all jobs growth in Victoria in the past financial year was in Melbourne. It was not a myth that all of the \$2.1 billion major government projects were located in Melbourne and that none was located in country Victoria.

Country communities lost their local councils and shires, and the related jobs were taken from their towns. It is hard to imagine a more poignant symbol than the closing of a town hall in a country town.

The symbols of the previous government's policies on country Victoria were its taxes and tolls; the closure of 176 country schools and 12 country hospitals; the closing down of five country train lines; the relentless privatisation of Victoria's public assets; and the user-pays charges that made the public pay, regardless of its ability to do so, for services that were formerly free because they had already been paid for in taxes.

The legacy of the previous government is that it has left the economy of country Victoria depressed and has driven jobs and development from the country to Melbourne. Country Victorians did not share in the much-promoted turnaround in Victoria's economy. On

the contrary, country Victorians were among the prime losers under the regime of economic rationalism that the Kennett government turned loose on the country.

Country people rejected the ethics of the philosophy behind the claimed turnaround. They saw that it was based on the slashing of services and jobs in the country and drew its revenue from closing country schools and hospitals and selling off Victoria's great public assets. The privatisation of the electricity industry is the prime example, with the resultant loss of jobs and services to country regions and the removal of the uniform electricity tariff that had protected country consumers in the past.

The second symbol I wear today is my Emily's List brooch. As I have already stated, I am the first woman to represent Bendigo in Parliament, and I thank the women of Emily's List for their support in helping me achieve that. I wear the symbol because I am committed to equality for women. Emily's List is not just an idea, it is a program for action; and it has at its helm and in its ranks committed people who have shown they get results.

Parliaments across Australia are electing women in greater numbers; however, the numbers remain far from equal. It is extremely important that the ranks of parliamentarians reflect the make-up of the society they represent, be they urban or rural, young or old, male or female, gay, indigenous or from non-English-speaking backgrounds.

I am delighted that the election resulted in women entering Parliament in record numbers. I am looking forward to working with my new colleagues to ensure that every piece of legislation has been considered for its impact on women. We will be initiating legislation to empower and assist the lives of all Victorian women.

Young people in our community are finding it increasingly difficult to have their voices heard by decision-makers and community leaders. Our youth are an amazingly diverse collection of people who are often more aware of global issues than other members of the community. The issues young people face are affected by where they live, their education and their employment situations. As the youngest member of the chamber I welcome the challenge of representing young people in all their variety and in all their diverse needs and aspirations.

In my electorate of Bendigo East I represent young people who are at school, at work, unemployed, single, married, with children, without children, on the farm, or at university or TAFE. My commitment to them is that

I will not lecture or prejudge them on what I, personally, may happen to think is important to youth, because all our experiences are different and therefore unique. What young people want, and what they have told me they want, is a member of Parliament who will listen to their concerns, understand their issues and work hard to improve their opportunities, whether they live in a regional city or a country town. I intend to do my very best to ensure their voice is heard in state Parliament.

For the record I would like to state the political and ethical values that will help direct my actions and guide me as I fulfil my role as the member for Bendigo East.

First and foremost I believe in equality: equality before the law, equality for women and equality of opportunity. I believe that no matter where they live, no matter what family they were born into or no matter what school they went to, all people must be given the same opportunities in life. In saying that I believe it is the role of government to ensure that all in our society are given equal opportunities.

I believe in a universal public health system and a public education system. I believe governments have a particular role in helping low-income people by providing services to individuals and to groups of people in our community who cannot afford them.

Governments also have a responsibility to ensure there is a fairer and more equitable outcome for its citizens than that provided under the winners-and-losers mentality of the previous government. The ideas and policies of that government were just a prescription for social vandalism. I say that because over the past seven years the prevailing philosophy was to withdraw government from the provision of basic services and to leave the task of filling that void to the blind forces of the market. It is a flawed philosophy that ignores a government's responsibilities to its community.

I am the daughter of workers. My father and mother taught me the importance of a strong union movement in protecting the wages and conditions of workers. I believe in the role of the union movement in the industrial system and I believe strongly that the rights of workers must be protected.

I believe in respect for other people — their values, their beliefs and their history — and I believe in honesty and openness, both in my own personal interactions and with my community.

I believe strongly in the role and rights of the community in the decision-making process. However, for community members to play a role we as legislators

must ensure that they have the opportunity to participate. Over the past seven years that opportunity has been taken away from communities. They were disenfranchised and robbed of a role and a real voice in the making of decisions. Communities became disenchanted and alienated from their legislators at both the state and local government levels. Local government lost its representative function and became just another agency of Spring Street.

I believe in practice the best decisions are made after members of the community have had the opportunity to participate and had their ideas and concerns listened to and given due recognition. In addition, the democratic idea of community involves consultation and participation as an essential ingredient in advancing the wellbeing of people who share common goals.

I see the election of the Bracks Labor government as a decisive rejection of Big Brother bureaucracy and as the vital restoration of the concept of community and public life in Victoria.

These values will underpin my actions as the member for Bendigo East. I recognise the privilege that position grants me. I want to make a difference in my electorate of Bendigo East, and I look forward to implementing the program of reforms endorsed by Victorians at the state election — and specifically, in the case of my electorate, the Bendigo Plan. The Bendigo Plan makes jobs and economic development its highest priority. It includes a range of developments that will enhance Bendigo's social, economic and cultural growth. It embraces the development of a high-tech, small business incubator and is designed to attract more companies to set up in Bendigo.

I look forward to helping rebuild our education and health systems, particularly in rural and regional areas. I also look forward, with my colleagues and the community, to bringing a faster train link to Bendigo and to other parts of regional Victoria.

I wish to record the anger my electorate felt at the discrimination dealt out by the previous government against motorists driving into Melbourne via the City Link from Bendigo and the Calder corridor. The City Link toll on the Tullamarine Freeway is an entry tax into Melbourne. It is an unfair Melbourne entry tax that is levied on central Victoria alone. No other country region in the state faces paying an entry tax into the capital city. The Kennett government compounded that injustice by also giving Transurban, the operators of City Link, the authority to inflict an anti-country day pass that costs country people without an e-tag a flat rate of \$7 a day to visit Melbourne and \$14 to stay

overnight. Transurban's toll system is a rip-off of central Victorians and country people and Transurban must change it. That is the clear and direct message from the election in Bendigo and central Victoria.

The catchment management tax is a powerful symbol to country Victorians of the previous government's attitude. It is levied on country people alone. It is double taxation that charges people for government functions they have already paid for. The tax makes country people foot the bill for the government's withdrawal of funding from environment works. Country people will be ecstatic at the Labor government's abolition of that tax.

During the current term of government I want to work with the community on issues that affect youth, and more specifically the employment opportunities for youth in regional Victoria. The issue needs urgent attention because in many cases employment status defines the roles of young people in our communities. When they do not have jobs their hopes fade and social problems arise. The future of regional and rural communities depends increasingly on youth finding employment in their own towns.

In looking to the future I take the opportunity to reflect on the past. I acknowledge the contribution made to the electorate by the previous honourable member for Bendigo East, Michael John. He served the Bendigo electorate for four terms — 14 years — and I wish him and his family all the very best for the future. I thank him on behalf of all the constituents of Bendigo East for the work he has done for the electorate.

The most important thankyou I have is to my parents, Glenda and Peter. They have given me love, support, guidance and a good solid Labor upbringing. My thanks go to them for working hard to provide me with educational and work opportunities and most importantly the self-belief and confidence to achieve what I set out to achieve. That is why Labor governments are important. It was successive Labor governments that confirmed for ordinary workers the belief that they were equal citizens, that regardless of family income their children could have an education, that their families would have access to a universal public health system and that their wages and conditions were secured and protected in law.

Without the reforms initiated by governments led by Gough Whitlam, Bob Hawke, Paul Keating, John Cain and Joan Kirner, and without the support of my family, I would not be here today to join the new Bracks Labor government to continue the great tradition of Labor

governments — governments that care about and understand the community.

I also thank my brother, Bradley, and his family for their support. I thank Ben for his love, support, patience and belief. There are many other people to thank for the role they played in my recent election as the member for Bendigo East. I give a very big heartfelt thankyou to my campaign team lead by my campaign director, Marty Stradbroke, and my tireless campaign worker, Peter Stevenson. In addition I thank David Kennedy, a former member for Bendigo West in this place, who retains boundless enthusiasm for politics and put great energy into assisting my campaign.

Thank you, too, to the sitting member for Bendigo West, Bob Cameron, for his guidance and advice. I take the opportunity to congratulate Bob on his appointment as minister. I also acknowledge the role of Steve Gibbons, the federal member for Bendigo; the Victorian Branch of the Australian Labor Party; and Andrew McKenzie and my entire hardworking campaign team.

Finally, I thank the people of Bendigo for their support. In the months leading up to the election I embarked on a massive program of doorknocking in my electorate. I was overwhelmed by the positive response I received from people at their front doors. Even if their political allegiances were more in line with those on the other side of the chamber I was welcomed and treated extremely well. I mention that because I believe we can have political discourse in our electorates in an open, sensible and respectful manner. Our constituents have not been duped with a 30-second television grab or a slick campaign. As I doorknocked throughout my electorate people were pleased to discuss their ideas and their concerns with someone who was prepared to listen. I intend to continue to listen to the issues and concerns of the people of Bendigo East. I am their representative in this chamber, and I will continue to work hard, talk to them and listen to what they believe is important.

As members of Parliament we are the servants of the people in our electorates. We must communicate with them in an open and intelligent manner, not isolate them from the political process or seek them out only during the four weeks of an election campaign.

With the election of the Bracks Labor government we will see more engagement with the community and a reinstatement of democracy. The Bendigo East community will be empowered by having the ear of the government, through its local member — a government which will not quash, ridicule or isolate voices of

dissent and which will give back to the community its independent watchdog, the Auditor-General.

I am excited and exhilarated about representing the people of Bendigo East, and my excitement has been sustained by the support of the community. Bendigo is a close community that takes pride in the achievements of its citizens.

Since the election people have stopped me in the street, contacted my office, my home or my parents' home, or written letters with hearty messages of congratulations, all of which has been encouraging and uplifting and shows I have the support of my electorate to assist me in my work. I want to be a member of Parliament whom people feel able to stop on the street to say hello. I want to be accessible to my constituents through my office. My electorate is looking forward to having a Labor government in office again and a Labor member representing their electorate.

The support from the Bendigo East community also indicates that we — the government and the community in partnership — will be able to work together to build on the opportunities in Bendigo and the surrounding region.

I would like to thank the people of Bendigo for their support before the election and their pleasure following my election. Although Bendigo is a large city that continues to grow, it retains the personal contact of a town much smaller. It is a unique place, one in which I love to live, and I now have pride in saying that I represent it in Parliament.

I wish to highlight the importance of democracy in our parliamentary system to our way of life as Victorians and Australians. Our democratic system is a precious inheritance that has been fought for by past generations. It is based on the principle that all people are equal, are born free and have fundamental rights. There are not many countries in the world where such liberties are recognised. In our region Indonesia is struggling to achieve such freedoms after years of military dictatorship, and East Timor has now finally and painfully won its freedom from the same tyranny. Our democracy needs to be strengthened and invigorated. Parliament must be a genuine expression of the will of the people, and it must be able to respond to change for the benefit of the whole community.

Parliament needs to deliver results to the public. It also needs to deal with the gap between the wealthy and the rest of the community, which has increased in recent years. It must cater to the grassroots, ordinary citizens who have come to feel disenfranchised and angry over

recent years, particularly country Victorians. Country Victorians believe in democracy, and they will not tolerate being taken for granted or treated as second-class citizens. That is the one big message the election sent to this Parliament. I am proud to be here today as a member of the Parliament that will listen to this message.

**Mr McNamara** — On a point of order, Mr Speaker, I refrained from making any comment during the honourable member's address but I ask you whether at their briefing, new members were advised of the traditions of the house that members giving inaugural speeches are heard in silence — which was the case — and that the speeches are not party political.

**The SPEAKER** — Order! There is no point of order. However, I understand that Parliament conducted a seminar for new members at which guidelines were issued about inaugural speeches. I make the point that inaugural, or maiden, speeches are traditionally heard in silence.

**Ms PIKE** (Minister for Housing) — Mr Speaker, today 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 make my inaugural speech by seconding the motion.

At the outset I congratulate you, Mr Speaker, on your elevation to the high office of Speaker. I also congratulate Steve Bracks on his election as Premier.

I thank all my friends and supporters who have assisted me in countless ways in campaigning in and winning the seat of Melbourne. I am particularly grateful to my partner, Bob, for his love, help and encouragement over many years, and to my sons Paul, Luke, and Andrew, who have supported their mother on this journey. My parents, Rod and Thelma Pike, are here from Adelaide. I thank them for creating an environment in which a young woman could develop both a personal and a social vision and in which she was encouraged to strive for worthwhile goals. They taught me that true humanity is found in relationships, in caring for others and in a commitment to reconciliation. While my actions do not always match such ideals, I am nevertheless convinced that striving for them is profoundly important.

As a new member of Parliament and a minister with the responsibilities of public office, I am acutely aware that the pace of life will now become even more frenetic. I am therefore committed to maintaining a balance between my personal and professional lives and look

forward to the foreshadowed reforms that will give Parliament more family-friendly sitting hours.

I also hope that the influx of a large number of new members, including many more women, will mark the end of the aggressive and acrimonious style of debate that has diminished public respect for Parliament and politicians. I look forward to an open climate of mutual respect in public discourse in Victoria. As one who has been on the receiving end of personal vilification for expressing a dissenting view, I trust that in the future we will not see public spokespeople described as being un-Victorian.

I am honoured to have won the support of my party and the electors of the seat of Melbourne to enter this Parliament as their representative. Under the previous government the inner suburbs of Melbourne were the focus of much development, some of which occurred with little community consultation. Consistent with the broader approach of the government I am committed to working closely with the people who live within the district of Melbourne to ensure their homes and neighbourhoods are not adversely affected but are enhanced by the major projects around them.

I pay tribute to my predecessor Neil Cole, who worked tremendously hard during his time in public office to represent the constituents of Melbourne. Neil was an excellent member of Parliament and was frequently involved in campaigns in the inner city and facilitated increased public input. He was also a great supporter of residents in public housing and victims of injustice. Neil grew up in North Melbourne and began his career as a community lawyer there. He is well known and loved in the local community and was a regular favourite at the Arden Street football ground. He has even tried to encourage me to abandon my support of Essendon in favour of North Melbourne, citing it as a prerequisite for the job as the member for Melbourne!

Members of the previous Parliament will also be aware of Neil's advocacy of mental health issues and his personal struggle to overcome his bouts of depression. His courage and commitment won the respect of people from all sides of politics, and his role as an advocate should be recognised as a trail-blazing effort. Neil was the first Australian politician to publicly acknowledge that he suffers from a mental illness, and in doing so he contributed enormously to the greater public awareness of the significance of mental illness in our community. In the long run his stand will assist all those who work to improve our understanding of and support for the many people among us who are suffering.

As the newly appointed assistant to the Minister for Health I will make it a personal priority to maintain Neil's commitment and ensure that mental health does not remain in the too-hard basket where it has sat for many decades. Australians are becoming more aware that growing numbers of people in our midst suffer from depression, and I acknowledge the desire of the former Premier to address this issue. Of profound concern to me is the number of young people who are drifting to the periphery of our community blighted by undiagnosed depression. It is a tremendous challenge not only to respond to the immediate problems of loneliness and isolation but also to transform our society, which marginalises difference and rewards only winners.

I am grateful to the people of Victoria and the Independent members in this place who have given their support to the Bracks Labor government. They want to see a new style of government and a commitment to the basic pillars of the Westminster system of government. Openness, accountability and transparency are qualities that are valued in public life and are essential ingredients of good government. They may not always be convenient but they are never dispensable. This is not to say that decisions in government are easy, particularly in a highly technical, complex and sophisticated economic and social environment.

Huge challenges lie before the new Labor government. However, it has a clear framework within which to meet those challenges, and it must rely on its commitment to careful planning, fiscal responsibility, meaningful consultation and open dialogue to make the right choices for the long-term interests of the state. I am confident the government will attract even broader support for its program and that Victoria will flourish as stronger and more inclusive partnerships are developed among all sectors of the community.

I am further honoured to have been selected by my colleagues to be the Minister for Housing and the Minister for Aged Care in this new government. I have been interested in these two portfolios throughout my working life. During my employment as Director of Justice and Social Responsibility with the Uniting Church I was constantly reminded of the extent to which social inequity persists and is growing. I have never been convinced that the gap between rich and poor will narrow if we stand back and do nothing, pretending there is a level playing field. In fact the opposite is the more likely outcome. There is a critical need, as there has always been, for government to provide assistance and to address generational poverty

so that people can overcome adversity and live comfortable and satisfying lives.

For many people public housing has historically been a basis for broader social participation. When people do not have secure housing, they often find it hard to focus on other critical life issues such as employment, education and health. For my mother and her family in the post-war period it was the means by which they could move from dilapidated inner-city housing to affordable and secure accommodation. That in turn provided stepping stones into tertiary education and employment and the capacity to contribute to the broader community.

Access to stable and affordable housing and the promise of entering old age with financial security, good health and a secure place to live are things that most of us take for granted. But many Victorians do not face the future with confidence because they are legitimately concerned that the wider community will not be there to support them in times of need.

With the honour of this office also comes great responsibility. I pledge to work diligently over the next four years to deliver what the people of Victoria are yearning for: a government that is responsible and accountable and values consultation, a government that has strong social values and understands that society is far more than a corporation in which citizens are reduced to impotent consumers without rights, and a government that believes in partnerships where each community is involved in deciding its priorities and has a say in the decisions that affect it.

I am proud to be a member of the Bracks Labor government because it is a government that believes there is a legitimate role for government and is prepared to face the challenge of reinvigorating and developing democracy. I have worked hard to enter Parliament because of the high value I place on government and because of the damage that is done to any society when government abrogates its responsibility and diminishes itself.

I believe in government for four main reasons. Firstly, government forces us to care for each other even when we do not feel like it. A government helps us channel our best instincts and check our bad ones. I believe in government because I know that selfishness and compassion compete for a place in our hearts. I know that while we are capable of great acts of altruism and self-sacrifice we are also capable of being motivated by pure self-interest.

Secondly, I believe in government because it alone can provide the space of shared disinterest that protects individual citizens from those whose primary motivation is self-interest rather than the common good. If government vacates that role, who can blame those who have other interests for taking over the abandoned territory?

Thirdly, I believe in government because if society is to function well there is always a need to balance the needs of the individual and the needs of the whole for the sake of the common good.

Fourthly, I believe in government because it is through giving and receiving in community that people find meaning and fulfilment, and that social participation must be nurtured and enhanced both for the sake of the least powerful among us and for social cohesion.

We are often told that a globalised marketplace now makes political structures and governments less relevant or less able to determine their own destiny. That message, of course, contributes to the sense of powerlessness felt by many individuals. One of the greatest challenges facing our modern world is the restoration of the primacy of democracy over the economy, so that the economy serves society and not the reverse. The International Monetary Fund and the World Bank have both recently asserted the need for governments to take a stronger role in regulating the excesses of the marketplace for that very reason. I believe great democracies can still create ethical, social and judicial frameworks. They can set the tone for cooperation and give priority to policies that promote social harmony and economic justice.

Janet McCalman, the well-known Victorian historian, wrote recently:

There is an element in the public life of this country that I find deeply shameful. Yes, we believe in freedom, but not if it's going to cost us money. Yes, we want an educated, skilled people with world-class health care, but only for those who can afford it.

So the role of government is to cultivate a spirit of service to others, a responsibility for the whole community and a willingness to do our bit.

This is what I understand by mutual commitment. It is not some selective, punitive expression of 'You owe us' imposed on the most vulnerable, but a shared responsibility to build a society where human worth and dignity are valued and affirmed. I am confident that the new government will repudiate policies which reward only self-interest; rather we will model reciprocity and partnership.

The electoral district of Melbourne, which I have the honour to represent, is a microcosm of the city of Melbourne — and it is also the home of many of our newest arrivals and our oldest communities. The electorate houses thousands of students and young people and it is also becoming home to more and more people who are choosing to live in the inner city, in the new developments of Kensington Banks and, in the future, the Docklands.

It is this great diversity which enriches the community and makes Melbourne so attractive. I am committed to ensuring that the inner city retains its demographic and cultural mix, which is its strength, and does not become a monoculture. To achieve that I will give high priority to affordable housing, access to quality public education, excellent health and welfare services, public transport, and community safety.

The local government areas in my electorate have a significant role in enhancing the liveability of the area — and I am pleased that the government recognises its strengths. I look forward to working with the various municipalities to maximise their expertise and resources at the different levels of government to serve the community.

Victorians do not want to see their society divided between winners and losers — an A-list of the wealthy, enjoying the spoils while the bulk of the community bears an increasing burden for an ever-reducing level and quality of service. Victorians want the community as a whole to be the winner because of our shared commitment to fairness, a commitment to educating all our children in the best possible way as an investment in the future, a commitment to ensuring that every citizen can have high-quality health services when he or she needs them, a commitment to provide opportunities for all to enjoy the fulfilment of secure work in a strong and growing economy, and a commitment to respect and care for older Victorians who are no longer able to care for themselves.

The next few days will begin the real test of where this rhetoric meets reality. Labor has a vision for the kind of community it wants to be part of, but every single policy decision along the way must bring that vision to the light of day. Good government will put in place public policy which is coherent and connected and which weaves together to create a harmonious whole.

That is the reason I chose to stand for political office, and I am grateful to the many people who have contributed to my journey — to my family and friends who have supported and encouraged me, knowing my strengths and my inadequacies; to the church which has

taught me and continues to remind me that hope is stronger than fear, that trust is more powerful than competition, and that social justice is at the heart of faith; to the Australian Labor Party, which has afforded me the distinction of being its member and in whose platform I have found sympathy with my belief that every child, woman and man is of immeasurable worth and must be given every opportunity to contribute to and enjoy the very best that life has to offer.

From Mildura to Melbourne to Mallacoota, people are reaching for a new style of government — one that affirms people before ideology; one that uses new technologies to enrich people's lives, not to debase them; a government which affirms the legitimate right of all people to be involved in decisions which affect their lives and welcomes their contributions.

My election to the Victorian Parliament has been a major turning point in my life, and one that I could scarcely have imagined a few years ago as a single mother with two young children. It is a moment that coincides with a major turning point in the political history of Victoria, and it comes on the cusp of the dawn of a new millennium. It is a promising dawn that has been brought about by an increasing dissatisfaction with purely materialistic values.

It provides an opportunity for Victoria to breathe new life into its democratic and social justice traditions. It is an opportunity for all Victorians to rebuild a sense of mutual commitment in all our communities. I am honoured to have the opportunity to be part of the rebuilding process.

**Debate adjourned on motion of Mr KOTSIRAS (Bulleen).**

**Debate adjourned until next day.**

## CHAIRMAN OF COMMITTEES

**Mr BATCHELOR** (Minister for Transport) — I shall propose to the house that the honourable member for Essendon be appointed Chairman of Committees. I believe the honourable member, who is without doubt a lively and vibrant person, is capable of bringing appropriate values to the task. She will be more than able to fill the shoes of the immediate previous Chairman of Committees, Mr John McGrath, who was highly respected and well thought of by all honourable members. I am sure the honourable member for Essendon will be able to fulfil the functions of the office in the same fashion as Mr McGrath. Accordingly I move:

That Judith Marilyn Maddigan be appointed Chairman of Committees of this house.

**Mr THWAITES** (Minister for Health) — I second the motion.

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

**Mrs MADDIGAN** (Essendon) — Yes, Mr Speaker.

**The SPEAKER** — Order! I have to announce that the time for proposals has expired. There being no further proposals, I declare the honourable member for Essendon, being the only member proposed, duly elected Chairman of Committees of the house.

## BUSINESS OF THE HOUSE

### Adjournment

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

That the house, at its rising, adjourn until tomorrow at 10.00 a.m.

Motion agreed to.

### Proclamation dates

**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 His Excellency the Governor in Council fixing dates for the coming into operation of acts, as published in the *Government Gazette* from time to time.

Motion agreed to.

## APPOINTMENT OF SERJEANT-AT-ARMS

**The SPEAKER** — Order! Pursuant to the provisions of the Parliamentary Officers Act 1975, my predecessor has appointed Mr Gavin Francis Bourke to be Serjeant-at-Arms following the appointment of Mr Geoffrey Herbert Westcott as Assistant Clerk and Clerk of Committees.

Remaining business postponed on motion of **Mr BATCHELOR** (Minister for Transport).

## ADJOURNMENT

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

That the house do now adjourn.

## Malvern Central School

**Mr DOYLE** (Malvern) — I wish to raise a matter for the Minister for Education, but before I do so I congratulate you on your election earlier today, Mr Speaker. I have great confidence you will do honour to the high position with which you have been entrusted.

The matter I raise with the Minister for Education concerns a school in my electorate, the Malvern Central School, better known locally as Spring Road. It has provided education in the Malvern area for over 125 years. For the past five years, particularly the past two years, I have been working with the school community and the community at large in carefully evaluating and analysing the needs of that school. I pay tribute to the chairman of the school council, Des Baker, and the principal, Judy Gurvich.

Immediately preceding the election it was announced that following a needs analysis \$1.5 million would be allocated to Malvern Central School. Honourable members may remember when central schools, which provide education from prep to year 8, were a popular part of the education system. However, there are now only two remaining in Victoria. Malvern Central School has about 31 equivalent full-time teachers and 550 pupils, 74 of whom are secondary students. The school has two campuses, one in Spring Road and one in Park Street, separated by a well-utilised park.

It is the last secondary school in the City of Stonnington. Although it offers classes to year 8, its focus is on middle schooling. In offering schooling between grades 5 and 8 it has developed considerable curriculum expertise.

As the minister would know, the most recent research shows that many educational difficulties arise when children stop learning between grades 5 and 8. Malvern Central School is keen to promote a middle-schooling concept, one that has attracted considerable interest and support from both the local and the wider community.

The work done by Malvern Central in the middle-schooling area is groundbreaking, but difficulties will arise if the funding commitment is not confirmed. Because it is an older school with a growing enrolment, the design of some areas is patently unsuitable for secondary education. The school council, the community, the principal, the staff and I all wish to keep years 7 and 8 at the school, but a gym and assembly area are needed immediately — and those could be multipurpose areas. If it rains there is nowhere for the students to play sport or for the whole school to

assemble, which is inappropriate. A library upgrade is urgently needed. The staff has done a fantastic job, but the library is barely adequate for primary school needs, much less for secondary students. A classroom rebuild and the upgrading of the administration area are needed.

Those requirements were incorporated in a needs analysis in the master planning of the school. The former government made a commitment to provide \$1.5 million. The opposition sees this not as a political matter but as one that should receive bipartisan support. We believe it would be a community and educational travesty if the new government reallocated the priorities of the Directorate of School Education.

I ask the minister to guarantee that the new government will provide this much-needed and carefully planned funding for Malvern Central School. I invite the Minister for Education to the school to examine the plans. I hope it will help her decide that the \$1.5 million will be well spent.

### **Drugs: Footscray methadone clinic**

**Mr MILDENHALL** (Footscray) — I also offer my congratulations to you, Mr Speaker, on your auspicious appointment.

I seek an undertaking from the Minister for Community Services in conjunction with the other ministers responsible for the Department of Human Services to review the situation at the Barkly Gardens supported residential units with a view to considering legislative and administrative changes given the difficulties being faced by the West Footscray community.

On 23 August uproar broke out when West Footscray residents in the heart of my electorate became aware that a private methadone clinic supervised by armed guards had begun operating at the former Barkly Gardens special accommodation facility at 633 Barkly Street. A local job seeker from my street heard that a new facility was opening. When he turned up he was told that he needed a pistol licence to get a job at a special accommodation facility.

I was alarmed to hear that the facility was being managed by Custody Control Corporation, an organisation which is represented by and whose public face is Helmut Kirsch, also known as Gregory Middap. Mr Middap has been described in the *Herald Sun* as a Neo-Nazi, a man with an extensive criminal history extending over 20 years and three states, including convictions for heroin trafficking, fraud, theft, burglary, possession of an unlicensed pistol and being an accessory after the fact to a double murder. Mr Middap

was sentenced to five years jail for the last offence and during the sentencing Justice Hampel described him as a leading member of a criminal gang involved in large-scale drug trafficking, not the type of person to be running a private methadone clinic.

In April last year the *Herald Sun* reported that Mr Middap had conned his way into the Port Phillip private prison for a 2-hour tour of the high-security prison. He was also reported as a surveillance and security systems expert, not the type of person who would enjoy a 2-hour tour of that facility. I am astonished that this type of facility could be opened without warning, some 10 weeks later still be in operation, and that a person with such a record could be so closely associated with a facility offering itself as an armed alternative to bail for juvenile and other drug offenders.

After I publicly raised the issue, a series of disgusting and offensive posters were plastered around the Footscray business district attacking my comments. Although I do not pretend that they are associated with the individual, they certainly raised concern. The Maribyrnong City Council officers quickly took out enforcement action and have a case before the Victorian Civil and Administrative Tribunal, but it is of concern that the facility is still operating.

I am also principally concerned that there appears to be no mechanism available under state law to quickly close the facility. The council's view is that a requirement for a fit and proper person or proper proprietor test under the supported accommodation area in the Health Services Act would better protect and enable state authorities to prevent individuals such as Mr Middap attempting to seek proper licensing.

### **Scoresby freeway**

**Mr WELLS** (Wantirna) — I join with other speakers on the debate for the adjournment of the sitting to congratulate you, Mr Speaker, on your appointment. I was one of your neighbours in the last Parliament and know that you are a fair and reasonable man.

I refer the Minister for Transport to the government's decision to scrap the Scoresby freeway. What will the Labor government do as an alternative to the corridor that was designated by the previous government? The Scoresby corridor was not just a road running north-south. It was an opportunity for employment growth, industry investment, improved traffic flows, the addressing of environmental issues and the reduction of business costs.

The corridor affects not only the areas around Wantirna, Bayswater and Knox, but the entire outer eastern area. To amplify that point further I turn to the transport economics. Before industry will invest anywhere it needs to ensure it will have a certain supply of water, gas and electricity and a safe and efficient road network. Investment will not be attracted to the outer eastern area if the Labor government does not proceed with the project.

In analysing the Scoresby corridor there is a need to look at the results of the environmental effects statement that was in train for a number of years. The business benefits to Victoria in 2011 are expected to be of the order of \$31 million, the impact on the annual gross state product in 2025 is estimated to be \$200 million and the impact on the annual national gross domestic product in 2025 is expected to be \$400 million. The figures are significant and must be taken into consideration by the government.

Victoria's employment growth is an important factor. Earlier today honourable members mentioned the need to improve employment. The government cannot talk about employment but do nothing about it. Victoria needs to attract investment and industry into these areas, and the completion of the Scoresby corridor would do that. Employment cannot be improved if investors are scared off.

The environmental issues are important. The current proposed location of the Scoresby corridor will ensure noise and environmental pollution are reduced over a period in the section in the outer east that will run from north to south.

Businesses need low costs to be efficient. Road distribution accounts for 20 per cent of the cost of manufactured goods. Quick and efficient road networks would ensure reduced business costs.

I turn to some of the options being explored by the Minister for Transport. The government plans to upgrade Stud Road as an immediate priority. People living in the outer east would like to know what is meant by the words 'immediate priority'. It may interest the government to know that the upgrade of Stud Road has been taking place over the past two or three years.

Many people in the outer east think the road has reached its maximum capacity and there can be no further development. They would like to know what improvements the minister is planning, what funds have been allocated and whether he is confident that in the time frame he proposes the measures will resolve the

problem of traffic congestion in the north to south direction, especially around intersections, given that the average speed in the 80 kilometre-an-hour zone on Stud Road is now down to 51.4 kilometres an hour. That shows how bad the traffic has become.

### Smoke alarms

**Mr ROBINSON** (Mitcham) — I congratulate you, Mr Speaker, on your elevation to your high office. Honourable members who know you are confident you will perform the duties with which you have been charged with fairness and great honour.

I raise for the attention of the Minister for Environment and Conservation the investigation and clarification of guidelines and protocols for the disposal of smoke alarms, with a view to allaying public concern.

The matter was directed to my attention recently by a constituent of the Mitcham electorate, Val McLean, who succinctly highlighted the problem. She said in her letter that the labelling of the smoke alarms commonly available in hardware shops indicates that when they have reached the end of their working lives they should be returned to either the manufacturers or the health department. Alternative disposal is neither readily available nor permitted in some cases.

As she asks in her letter, if it is safe to install smoke alarms in homes, why is it not safe to put them in garbage bins? I do not pretend to be well versed or knowledgeable on the technical design of smoke alarms, but the point is that smoke alarms have warnings that they contain radioactive material. Val McLean telephoned her local council, the City of Whitehorse, and spoke with those involved in the waste management department. After checking with other council staff they said that nobody had ever asked them such a question. She was referred to a statutory authority, Ecorecycle, which offered to send her a list of disposal sites and times. She was pleased to receive the list, but it said the smoke alarms could be deposited at the metropolitan sites only on Saturdays. The nearest site was some considerable distance away.

The matter of smoke alarm disposal requires investigation and clarification because from February this year smoke alarms were required to be fitted to all properties in Victoria. That move enjoyed the support of all members of Parliament. However, as a consequence many more smoke alarms will have to be disposed of in the future.

My estimate, and the experience of other members, is that one may get one or two years from a smoke alarm before it must be discarded. I must confess that I have

burnt out my smoke alarm in a shorter period due to my lack of culinary skills. Because my wife is in India I was recently in charge of the children, and I confess to burning the potato gems one night. It set off the device to the point where I do not think it will last much longer. As a result, I will face the same problem Val McLean faces.

To avoid public concern about storage and disposal problems or dangers from smoke alarms honourable members may benefit if, in conjunction with the companies that manufacture them, the minister investigates and clarifies the matter.

### **Fishing: recreational licences**

**Mr PLOWMAN** (Benambra) — Mr Speaker, I congratulate you on your elevation to Speaker and also pass on the congratulations of the past Speaker, who is delighted with the choice.

I direct a matter to the attention of the Minister for Energy and Resources in another place. It concerns reciprocal fishing rights, in particular in Lake Hume and Lake Mulwala. Since New South Wales introduced the inland fishing licence in 1997 Victoria has raised the issue of the reciprocal recognition of recreational fishing licences on waters along the Murray River, and in particular those two areas.

In a letter dated 27 July the former Acting Minister for Agriculture and Resources said:

Reciprocal recognition of licences is consistent with the principles and details of the draft fisheries management plans for Lake Hume and Lake Mulwala developed jointly by NSW and Victoria. These draft plans were halted by the NSW government three years ago.

... Victoria has raised the matter of reciprocal recognition of recreational licences, both on a statewide basis and in terms of fishing in and adjacent to the Murray River border. These approaches have been rejected consistently by NSW.

Victoria remains prepared to discuss reciprocal recognition of recreational fishing licences for shared inland waters.

The problem relates to the fact that the state border is the high-water mark of the south bank of the Murray River. When one is fishing on either Lake Mulwala or Lake Hume one has no idea where that high-water mark is located. The side on which one is supposed to be fishing depends entirely on the side of the border from which one launches one's boat. There are plenty of fish in the area because both the water bodies have been stocked by the Victorian Department of Natural Resources and Environment.

The difficulty is that there are also different limits on the size of the fish and the bag. A person with a licence for a particular bag limit who is fishing on one side of the weir and takes a boat to the other side can be fined for having the wrong fish size or bag size.

The New South Wales fisheries minister, the Honourable Eddie Obeid, says there is no confusion about the need to have both licences and that no-one is adversely affected. An article in the *Border Mail* of 2 November states:

Last month Mr Obeid rejected a request from the North East Association of VRFish — Victoria's peak recreational fishing group — for a reciprocal licence to be implemented for Lake Hume ...

I also refer to the case of a Lavington fisherman, Mr John Landman, who was booked for failing to have a New South Wales fishing licence although he was fishing in Victoria. That is an example of the difficulties fisherman face when they fish in the area.

I ask the minister to accept the proposal by VRFish for a meeting between the ministers and, if possible, for the ministers to meet with local anglers to learn about their problems. Further, I ask that measures be introduced in both state parliaments to allow for the introduction of reciprocal rights for fishing licences in these waters.

### **Electricity industry: Basslink**

**Ms DAVIES** (Gippsland West) — I add my congratulations on your appointment, Mr Speaker. I am hopeful of a good Parliament under your guidance.

I refer the Minister for Finance, as the minister responsible for the Office of the Regulator-General, to the Basslink proposal, which aims to connect Tasmania to the national energy grid via an undersea cable that must then find its way from the coast to the main high-tension line easement that runs from the Latrobe Valley to Melbourne. South-west Gippslanders feel threatened by the prospect of high-tension powerlines marching across their landscape as part of the Basslink proposal.

Recently in Leongatha 1300 people stood up to say an emphatic and unanimous no to the prospect of high-tension powerlines across south-west Gippsland. Another 400 constituents said the same thing at a public meeting held later in Drouin, and the same message was given at two public meetings held in adjoining areas.

I have been concerned about the Basslink proposal since I first heard about it because the process outlined by the former government seems strangely skewed in

that a preferred developer is or would be selected on the basis of a tender. That preferred private developer is then supposed to select the route and the method of transmission of the powerline. That is not an appropriate order of events.

The decision on an appropriate route and method of transmission should be made before any private consortium is asked to spend its precious dollars costing and developing a proposal which may be environmentally inappropriate.

What progress has the minister made since coming to office to ascertain where the proposal stands at the moment? In what way can my local community be reassured that its strongly held views will be fully taken into consideration?

### **Police: Melton station**

**Mr NARDELLA** (Melton) — Mr Speaker, I congratulate you on your elevation to the position of Speaker.

I ask the Minister for Police and Emergency Services to address the issue of police numbers, in this case in Melton. I ask him to assure the community that the Melton police station will be fully staffed to relieve the pressure on police officers and allow them to better serve their communities.

A number of community leaders and members of the media have commented on the need for more police at the Melton station to provide security for residents of such a large area. At least two police officers are allocated to look after prisoners on a 24-hour basis; they are taken off the beat, thereby making it difficult for the remaining police to provide security from the Melton station for my constituents. At times only one police vehicle has been on the road. Police officers have had trouble completing their paperwork.

The population is increasing by about 10 per cent a year in areas such as Caroline Springs, West Lakes, Melton South and Hillside. Police now need to deal with the increasing incidence of crime due to drug abuse and the hydroponic growing of addictive plants.

I ask the minister to consider the increasing needs of an electorate that includes locations such as Caroline Springs and to assure local communities that the Melton police station will continue to be adequately staffed.

### **Responses**

**Ms DELAHUNTY** (Minister for Education) — I congratulate you upon your elevation to the highest office in this place, Mr Speaker.

The honourable member for Malvern raised a concern about Malvern Central School. I share the member's interest in and concerns about the middle years of schooling, particularly where boys are disengaging from the important parts of their schooling.

The honourable member referred to an allocation of \$1.5 million for Malvern Central School, but he did not indicate whether the money was an election campaign lure or whether it had been ticked off in the former coalition government's forward estimates. If it had not been ticked off, from where was the government intending to get the money for the school?

Honourable members will recall a desperate Kennett government running around the state promising lots of money for upgrades, but the funds were not ticked off in the forward estimates. The bottom line indicated that the money was proposed funding for 2001–02.

The honourable member said Malvern Central School requires a new gymnasium, an urgent upgrade of the library and administration unit, and additional classrooms. I am puzzled about why the honourable member was not able to achieve those improvements for the school while the coalition was in government. I now understand why the Commonwealth Grants Commission said Victoria spends less on education than any other state or territory in Australia. That is why Malvern Central School did not get its gymnasium, extra classrooms or administration unit and library upgrade.

I will examine the matter and get back to the honourable member in due course.

**Ms CAMPBELL** (Minister for Community Services) — Mr Speaker, I congratulate you on your elevation to the high office of Speaker.

I thank the honourable member for Footscray for raising an important matter that involves other ministers under the umbrella of Human Services. I am happy to take responsibility for following through with this matter.

The honourable member raised the issue of special residential units currently being operated by a person with a questionable past. That raises a question about the suitability of that person to run a methadone program. The honourable member has always had a

keen interest in supporting those in need and is also not backward in highlighting injustice and ensuring that people who require the support of the Department of Human Services are looked after.

I recall the *Herald Sun* article, and I thought the claims made about Mr Middap's extensive criminal history were of grave concern. The honourable member mentioned some young people who were out on parole being sent to that special residential unit and questioned the suitability of the bail procedure, as do I. The special residential unit was run previously as a special residential service, which comes under the provisions of the Health Services Act. My concern, which I imagine will be the concern of many honourable members, is that it is totally inappropriate for a methadone program to be operated by a person of the character outlined by the honourable member.

The former coalition government was informed of the concerns of residents and to my knowledge did nothing to address those concerns. I have ascertained that not one thing was done by the previous government about Mr Middap. The former Minister for Corrections said Mr Middap had been to Port Phillip Prison and that there was no secret of his past history.

It is important that the Department of Human Services look at the section of the Health Act relating to having fit and proper persons run such sites. I undertake to carry out a thorough investigation and to work with my colleagues in the department to ensure that the legislation adequately protects vulnerable people who are trying to get onto methadone programs.

**Mr HAERMEYER** (Minister for Police and Emergency Services) — I also congratulate you, Mr Speaker, on your elevation to the highest office in the house. I take pleasure in offering you those congratulations as an electoral neighbour, a geographical neighbour and a fellow supporter of the Essendon Football Club.

The honourable member for Melton raised the issue of police numbers in his electorate, in which he has taken a strong interest. Melton is not alone in having suffered as a result of the deliberate and significant cutback in police numbers perpetrated by the previous government. That placed Victoria's wonderful police force in the precarious situation of finding it extremely difficult to do its job — although it was doing the job nonetheless. The honourable member related a story about Melton that is being repeated across the state. There is a need for more police in Melton, just as there is a need for more police across Victoria.

He also described the bizarre situation in Melton as a result of which prisoners are being kept in police lock-ups because Victoria's prisons are overcrowded. The state's highly trained police officers are being used as jailers. That is not what they are trained for and not what they should be used for, and it exacerbates the shortage of police officers throughout the state. Melton is a rapidly growing area and there is a need for increased policing.

The Bracks Labor government has made a commitment to increase the number of police on the front line by 800 over four years. Additional police numbers will start flowing through to police stations around the state promptly; and as they come through the shortages in stations such as the Melton station will be addressed.

The allocation of police to particular stations is a matter for the Chief Commissioner of Police. However, the government will ensure that he has the resources to address the shortages that exist in police stations such as the Melton station.

**Ms GARBUTT** (Minister for Environment and Conservation) — I congratulate you, Sir, on your elevation to the position of Speaker and express my total confidence in your ability to handle difficult situations well and reasonably, and to keep good order.

The honourable member for Mitcham raised a concern about the environment, and I congratulate him on his longstanding interest in environmental matters. The issue involves the disposal of smoke alarms. The honourable member has correctly pointed out that the fitting of smoke alarms will soon be required by law; however, their disposal is problematic. The honourable member raised the issue on behalf of a constituent, Ms Val McLean, who experienced some difficulty in properly disposing of a smoke alarm in accordance with the label. She found that the disposal program offered by Ecorecycle Victoria was inconvenient.

My experience with smoke alarms is that they last too long. When mine recently went off while I was cooking some toast I took to it with a hammer and knocked it clean out of its place. It is now hanging half a metre from the ceiling — and it still works! I cannot dispose of mine, no matter how hard I try. I will speak with the people at Ecorecycle and ask them to review their disposal program to make sure there is easy access to it.

The honourable member for Benambra raised reciprocal fishing rights, especially along the Murray. He mentioned Lake Hume and Mulwala and said the issue had previously been raised with the New South Wales minister. As that matter is the responsibility of

my colleague in the upper house I will ensure that she gets the details and responds to the honourable member in time.

**Mr BRUMBY** (Minister for Finance) — The honourable member for Gippsland West raised the proposed Tasmanian Basslink, an undersea cable between Tasmania and Victoria. Her question concerned planning and other regulatory approvals for the project. She referred to the widespread concern throughout Gippsland evidenced by a public meeting in Leongatha attended by 1300 people and by other public meetings throughout the area.

I am advised that the Tasmanian government has appointed a Basslink development board to recommend a developer who will build, own and operate the Basslink project. The board is scheduled to announce a final proponent in February 2000. The link is to be operational by mid-2002, subject to obtaining two kinds of regulatory approvals: a series of planning approvals and environmental approvals, and regulatory approvals from the Office of the Regulator-General.

Planning and environmental approval processes for Basslink are scheduled to commence later this year. I understand the Minister for Planning has already activated that process as part of a tripartite arrangement between the Victorian, Tasmanian and commonwealth governments to comply with the legislative requirements. I am advised that the environmental assessment is expected to include consideration of the relative impacts of above-ground and below-ground transmission to the Victorian sector of the link. I am sure honourable members throughout Gippsland will welcome that understanding.

The study will examine not only the proponent's proposal for overhead powerlines but also the relative merits of underground cabling. The Minister for Planning is, under the Environment Effects Act, the relevant Victorian decision-maker for the environmental approvals process. The minister provides his assessment advice as to whether Basslink should proceed in Victoria and, if so, on what conditions.

In addition, the final proponent of Basslink will require a transmission licence from the Office of the Regulator-General to operate in Victoria. Other requirements include connection agreements with the owners and operators of the Victorian transmission network and economic regulatory arrangements in the national electricity market (NEM).

I should point out for the benefit of all honourable members that no Victorian government, past or present,

has invested or participated in the project to date. The basis of the project is that the link will enable Tasmania to participate in the NEM and relieve constraints on the capacity of the hydro-electric system. It is argued that it may also assist in meeting peak demand in Victoria and possibly provide a source of renewal electricity to feed into the NEM.

The principal environmental issue is the merit of putting the Victorian sector of the link underground — and consulting with the people of Gippsland about it. The Minister for Planning has advised me that the issue will be considered as part of the assessment process, which, as I said earlier, he has already activated. Local residents will be welcome to participate in that environmental assessment and in the consultative committee.

Finally I should state again that the Victorian government has not contributed to the project. It is a private project, and the question of whether it will succeed is a matter for the regulatory approvals. The environmental assessment of the project will depend on the economic merits of the project. There is a long way to go and there are many considerations, including the Environment Effects Act, full public consultation and of course regulatory approvals through the Office of the Regulator-General.

**Mr BATCHELOR** (Minister for Transport) — The honourable member for Wantirna referred to the Scoresby freeway. He claimed that the Bracks Labor government had scrapped the freeway. Nothing could be further from the truth. The previous coalition government scrapped that freeway. To build a freeway along the Scoresby corridor would require funding in excess of \$800 million. The previous coalition government provided no funding, and there is no better way to scrap a project than to refuse to fund it. That is self-evident. The previous government made no funding commitment to the freeway whatsoever. The freeway was totally unfunded.

The opposition now has the audacity to come into the house and suggest that the new government, which did not make a funding commitment to the freeway in its election promises, should proceed to fund it. The government has given a commitment that it will deliver on its election promises. Those promises have been properly costed and funded. However, the government will not be pressured into funding things for which it does not have the money. The honourable member for Wantirna may find it an acceptable economic approach to promise things and have no funding for them, but that is not what the new Labor government will do. It will promise only those things it can fund. Voodoo

economics may underpin the wish list of those opposite, but the government will not be drawn into funding projects for which no funds are available.

The other part of the opposition's creative economic approach was to ask the federal government to fund the freeway. The federal government has already said it will not do so. All honourable members know that the previous government's real objective was to fund the Scoresby freeway by the introduction of tolls.

One of the advantages for an incoming government is the ability to discover the secret agendas of the previous regime. In October 1994 a report on a strategic planning investigation of the Scoresby transport corridor was prepared for the coalition government by FDF Management Pty Ltd. The report was a detailed and thorough analysis of the secret plans for the Scoresby corridor. It nominates 2001 as the best time to maximise the returns from a toll on the Scoresby freeway. That report is the smoking gun that proves the previous government was trying to fund the Scoresby freeway by the introduction of tolls. It wanted to keep it secret until after the election. The coalition thought it would get back into government and could then introduce the toll on the freeway.

When the former government commissioned the report it was told that the toll would add a charge of about \$2 to the cost of the journey. However, over time the cost of the project has increased, and it is now about \$820 million. I asked the department to carry out some calculations on the cost of funding the Scoresby freeway on the basis of the current arrangements. If the former Liberal government had been returned to office at the election tolls would have been introduced to fund the Scoresby freeway, and the toll would have been \$8 a journey! That was what the opposition was planning.

The report outlines lots of interesting information about the plans for the toll. I am surprised that the honourable member for Wantirna fell for the trick of being asked to raise the issue, given that the shadow Minister for Transport was not prepared to raise it himself. The shadow Minister for Transport was gutless. He should have had the courage to ask the question, but he was obviously aware of the former government's plan to introduce tolls.

But, it is worse than that. The analysis and advice given to the former government indicated that if tolls of that magnitude were introduced the number of vehicles using the freeway would be affected — and I refer to the part of the report that appears under the interesting heading 'Optimal toll'. The former government was not seeking to introduce just any kind of toll; it was

carrying out sensitivity analyses and planning to work out ways and means of introducing not only tolls but the maximum tolls possible to get the revenue flowing in to fund the freeway, which the government regarded as a tollway.

The analysis in the report on maximising tolls in 2001, the post-election period, shows that the number of vehicle-kilometres travelled on the Scoresby freeway would have been reduced by about 55 per cent. A 55 per cent reduction! That traffic would not have just disappeared, would it? It is logical that vehicles would have been forced off the tollway and into surrounding suburban streets, which is what the report states.

You do not have to be a genius to understand that. You do not even need to be like the honourable member for Mordialloc to understand that if tolls were introduced motorists who did not wish to pay — the economic rationing impact of the market — would be forced into surrounding streets, which would become clogged. The Liberal Party's secret agenda for when it came into office was not only to introduce tolls but to do so in a way that would force cars into surrounding streets. The honourable member for Wantirna thinks the surrounding streets are suffering now, but it would have been diabolical — it would have been murder — if this proposal had been commissioned by the former government.

The secret plans the former government intended to implement following the election do not make economic sense because the diversion of traffic into the surrounding streets, which is an obvious outcome, would also produce a net loss of some \$50 million a year to the economy.

Tolls and a huge diversion of traffic into surrounding streets were a function of the secret state that existed prior to the election, and they would have produced a net economic loss. I am pleased to have been given the opportunity to — —

**Mr Wells** — On a point of order, Mr Speaker, I do not think the minister was listening to my concern. Although I raised the matter of the Scoresby freeway, I asked what money the — —

**The SPEAKER** — Order! What is the point of order?

**Mr Wells** — It is about the relevance of the minister's reply to the concern I raised.

**The SPEAKER** — Order! There is no point of order. I ask the minister to conclude his reply.

**Mr BATCHELOR** — The government will not introduce tolls in the way the previous government intended — it will not drive cars into the surrounding residential and suburban streets, it will not produce an economic loss of \$50 million a year and it will not practise voodoo economics. The government will not be economically irresponsible, which was the assumption underpinning the issue raised by the honourable for Wantirna. The government will be economically responsible and will pay for the things it builds. Unlike the previous government and the secret proposals it wanted to inflict on Victorians, the government will build lots of things and will pay for them. The opposition has asked what the government will do. It will not do the things the previous government intended to do.

**Motion agreed to.**

**House adjourned 1.26 a.m. (Thursday).**

**Thursday, 4 November 1999**

**The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 10.06 a.m. and read the prayer.**

**QUESTIONS WITHOUT NOTICE**

**Parliament: ALP commitment**

**Dr NAPHTHINE (Leader of the Opposition)** — I refer the Premier to his response to the Independents charter, in which he promised the introduction of debates on matters of public importance every sitting day other than grievance days. Yesterday in answer to a question during question time — —

**Mr Batchelor** — On a point of order, Mr Speaker, I draw your attention to the business program and the proposed sessional orders circulated in my name, and in particular to the part that deals with matters of public importance. The question being put by the Leader of the Opposition anticipates debate that will take place later today, and therefore I ask you, Mr Speaker, to rule the question out of order.

**The SPEAKER** — Order! The Leader of the Opposition has not been given the opportunity to ask his question. I will give him that opportunity, but if the question anticipates debate scheduled for later this day I will rule it out of order.

**Dr NAPHTHINE** — In the Premier's response to the Independents charter he promised the introduction of public importance debates every sitting day other than grievance days, and yesterday during question time he stated that he would adhere to each and every commitment written in response to the charter. Is it a fact that the Premier's proposed sessional orders now do not meet that clear and specific commitment?

**Mr BRACKS (Premier)** — Thank you for the question, which I am happy to answer. If honourable members care to read yesterday's *Hansard*, from which I cannot quote, they will see that the response was clear. I said I would adhere to the Independents charter, and that is true. The commitment is clear. The government will honour every commitment in the charter — there is no question about it. Everything in the Independents charter will be honoured line by line, commitment by commitment.

The Leader of the Opposition, who has trouble listening, should remember what he said about the charter on 16 October during the night of the Frankston East supplementary election. The Leader of the Opposition said that in opposition he, too, would

adhere to the charter, which includes reform of the Legislative Council. During an ABC interview on election night the Leader of the Opposition said:

We are committed to those principles in opposition or in government. We are absolutely committed to that charter.

**Mr McArthur** — On a point of order, Mr Speaker, yesterday you clearly indicated that you would pull into line any minister who strayed from or debated the subject in answering a question. I put to you that the Premier is clearly debating the question.

**Mr BRACKS** — On the point of order, Mr Speaker, I was clearly answering the question from the Leader of the Opposition about the implementation of the charter.

*Honourable members interjecting.*

**Mr BRACKS** — I am happy to put the case. The opposition's response to the charter is material to the answer. The government's response to the charter is important, but so too is the response of the Leader of the Opposition.

**The SPEAKER** — Order! I do not uphold the point of order. As I said yesterday, I will pull into line the Premier or any other minister who strays from the question. The Premier is so straying and I ask him to come back to the question.

**Mr BRACKS** — On 16 October the Leader of the Opposition stated:

We are committed to those principles in opposition or in government. We are absolutely committed to that charter. There is no walking away from that.

The comments made by the Leader of the Opposition are consistent with my comments yesterday that the government would implement the charter in full.

*Honourable members interjecting.*

**The SPEAKER** — Order! There is a barrage of interjections. I ask members of the opposition front bench to cease interjecting across the chamber.

**Mr BRACKS** — The important question is adherence to the charter. If the Leader of the Opposition listened, and if he read yesterday's answer, he would know that the response I gave was clearly about the charter. All honourable members should recognise that the charter developed by the Independent members is about stable government and corporate good governance in Victoria.

My government understands and supports the Independent members. They have not gone for

something which individually suits their electorates. Instead they have developed a charter that is about the principles of democracy, including the restoration of a proper electoral system in the upper house and ensuring the return of the powers of the Attorney-General and the proper adherence to access to information under the Freedom of Information Act. I believe the Independent members deserve the praise of the house for offering that stability, security and surety. The past few months have been difficult for them and I recognise their efforts. I reiterate that the government will implement the charter, chapter and verse.

**Workcover: administration**

**Mr ROBINSON** (Mitcham) — Will the Premier detail to the house the disastrous legacy left to the Victorian Workcover Authority by the former government in light of the authority’s latest annual report, which shows a massive operating loss?

**Mr BRACKS** (Premier) — If honourable members are concerned about the operation of public authorities they need only look at the annual report tabled yesterday by the Victorian Workcover Authority. That report shows a loss of \$176 million after seven years of maladministration by the former Kennett government. That is the legacy of seven years of legislative change — including changes in every year of those seven years. It is maladministration of the worst kind.

In case anyone is uncertain I place on record my regard and esteem for the board of the Victorian Workcover Authority. It is doing a good job, but has been doing so under difficult circumstances. The seven years of the previous Kennett government saw seven legislative changes to Workcover, with common-law rights slashed and the lowest benefits of any state. The worst effort of all was the proposal by a backbench committee of the previous government for a co-payment, or a payment by workers, to cover the black hole. That matter was worked on by the authority at the request of members on that side, who were seeking that workers should pay for the Workcover benefits that the former government could not fund itself.

I give the house a commitment that the government will not underfund the Victorian Workcover Authority. Year after year there will be a fully funded scheme with a 100 per cent plus ratio, not a 93 per cent ratio as exists currently. Seven years of maladministration — not by the board or the VWA but by the previous parliamentary secretary and the previous government administration — have left a black hole of \$176 billion. The former government should have predicted what the liabilities would be. Instead of addressing the liabilities

it left a black hole and it will take a Labor government to fix the problems and legacy of seven years of neglect and problems.

**Unemployment: ALP election promise**

**Ms ASHER** (Brighton) — Does the Minister for Post Compulsory Education, Training and Employment stand by the ALP’s election promise to cut the unemployment rate to 5 per cent during this term of Parliament?

**Ms KOSKY** (Minister for Post Compulsory Education, Training and Employment) — The Deputy Leader of the Opposition would do well to listen to the response. The opposition has not been good at listening, which was evident during the election.

The government makes an absolute commitment to stick to the target it set during the election and over the next four years it will put in place significant improvements in the numbers of apprenticeships and traineeships across Victoria to address the legacy of skill shortages left by the previous government — skill shortages that mean Victoria is importing labour to fill places, particularly in regional Victoria. Unlike the opposition, the government will honour its commitment. The opposition has not honoured its commitments; and we have heard about Workcover and the former government’s inability to manage it.

**Workcover: administration**

**Mr NARDELLA** (Melton) — I refer the Minister for Workcover to the latest budget blow-out at the Victorian Workcover Authority. Will he inform the house whether the blow-out is part of a serious downward trend?

**Mr CAMERON** (Minister for Workcover) — The honourable member for Melton has taken a great deal of interest in this matter over the years.

The government recognises that the blow out is an enormous problem, and together with the board of the VWA is determined to redress the situation. With that as a background the government will go forward and implement its program. It is hoped legislation will be passed next autumn to bring that about.

The government welcomes the comments of honourable members opposite that they will keep the government accountable — that they want every promise kept and will vote for the whole of the government’s program.

The loss of \$176 million has to be compared with what was budgeted for — that is, a profit of \$134 million. It is \$310 million below budget.

*Opposition members interjecting.*

**Mr CAMERON** — Honourable members opposite may laugh, Mr Speaker, but what is the trend and how bad is it? The situation looks bad on its face, but the trend is extremely bad. In 1995–96 the loss was \$17 million and in 1996–97 it was \$51 million, so in the scheme of things it was worsening. In 1997–98 the loss was \$123 million. What is \$51 million between mates and what is \$123 million between mates? In this financial year, what is \$176 million between mates? The attitude of the former government, of the Kennett clones, was to not care about Workcover. The figures show a trend line going down and out of control. The government is determined to turn that around and bring in its program so the system is fair. In addition to restoring common-law rights, as the Premier outlined earlier, the government will introduce its legislation against a background of providing a system that is fully funded.

### Waverley Park

**Mr CLARK** (Box Hill) — I ask the Minister for Major Projects and Tourism, as the representative in this place of the Minister for Sport and Recreation, whether it is a fact that the sports minister has said that the compulsory acquisition of Waverley Park is an option he wanted to have available. If so, why has the government now contradicted the Minister for Sport and Recreation and ruled out that option?

**Mr PANDAZOPOULOS** (Minister for Major Projects and Tourism) — It is interesting that the opposition should ask this question because when in government it did nothing about Waverley Park — it was just rhetoric. The community looked to Labor to provide some answers.

In opposition Labor took a responsible role, without the resources of government, to see how it could provide the AFL with the revenue it needed without having to lose Waverley Park. It looked at options such as a national footy tipping competition so that over time the AFL could develop an alternative perpetual income stream to provide more return in the long term without losing the goodwill of the people in the eastern and south-eastern suburbs and the people of Gippsland.

**Mr Leigh** — On a point of order, Mr Speaker, last week the Minister for Major Projects and Tourism said the government would compulsorily acquire Waverley Park — —

**The SPEAKER** — Order! There is no point of order. The minister was answering the question and keeping his answer relevant.

**Mr PANDAZOPOULOS** — The opposition is sensitive because it is embarrassed. Opposition members know the government will try to get the AFL to the negotiating table. The Australian Labor Party is providing an alternative revenue stream for the AFL and looking at other options to enable it to keep Waverley Park, such as improving the ground and providing easier access to it. The Premier and the government are committed to doing whatever they can to achieve this aim.

The opposition will be embarrassed in the future because even at the 11th hour and 59th minute to midnight the government is still trying to save Waverley Park while the opposition is undermining the slight chance of success. The opposition undermines every good idea.

### Racing: Bart Cummings

**Ms GILLETT** (Werribee) — Will the Minister for Racing please inform the house about the action to be taken by the government to recognise the extraordinary achievements and contribution to the Australian racing industry of Mr Bart Cummings?

**Mr HULLS** (Minister for Racing) — I thank the honourable member for her question and note her interest in the racing industry, particularly with the Werribee Racing Club in her electorate.

Everyone in the house would agree that Bart Cummings is a genius. He is also an icon of the racing industry: he has trained a record 11 Melbourne Cup winners. It is crucial that the state of Victoria recognise the man and his great achievement.

For those old enough to remember, I point out that Bart's first Melbourne Cup winner was in 1965 when he trained Light Fingers — —

**Mr Batchelor** interjected.

**Mr HULLS** — Indeed, some new members of the house may not have been born when Light Fingers won!

Bart Cummings followed that victory in 1966 with Galilee, then Red Handed in 1967; Think Big in 1974 and 1975; Gold and Black in 1977; Hyperno in 1979; Kingston Rule in 1990; Let's Elope in 1991; Sainly in 1996; and Rogan Josh this year — and I am pleased to say my money was on it.

Bart Cummings started training racehorses in 1953 and quickly established himself, first in his home state of South Australia and later in Victoria, winning training prizes in both states with monotonous regularity. In the 1989–90 season he won a Sydney award — the first time a trainer had ever won championships in all three states.

It is crucial that Victorians and the racing industry set up a permanent tribute to Bart Cummings. At Flemington racecourse there is a statue of Phar Lap and there is a statue of Bill Collins at Caulfield.

Today I contacted the Victoria Racing Club. It is very keen about the proposal and thinks it is a great idea. I also contacted Bart Cummings who, in his humble way, is thrilled with the idea. Those who know Bart will know he has a dry sense of humour. In response to the suggestion he said, ‘Whatever makes the minister happy makes me happy’. In the past he has described why he has been so successful in the racing industry. I thought he was talking about the government, but in fact he was talking about his horses, when he said, ‘They think, they are honest, they are genuine and they are very intelligent’. That can certainly be said of all the horses he trains.

The government will work closely with the VRC and Bart Cummings to ensure that in the not-too-distant future a permanent tribute is established at the VRC. It will list his 11 Melbourne Cup winners — and we will ensure there is room to list many more.

### **Workcover: premiums**

**Mr CLARK** (Box Hill) — I refer the Minister for Workcover to his previous answer. Will he guarantee that Workcover premiums will not rise?

**Mr CAMERON** (Minister for Workcover) — Under the previous regime the honourable member for Box Hill was one of the Kennett clones. He was parliamentary secretary in the Treasury and finance area and is responsible for the Workcover mess.

During the election campaign the Labor government made a commitment. It will deal with the present crisis that is confronting it and will stick to its promises. In case honourable members opposite have not taken it all in, I will go over those promises. The government promises to restore common-law rights.

**Mr McArthur** — On a point of order on the matter of relevance, Mr Speaker, the Minister for Workcover is attempting to outline the Labor government’s policies on Workcover. The question did not mention and had

nothing to do with those policies. The question was whether Workcover premiums would rise.

**The SPEAKER** — Order! There is no point of order. The minister will continue his answer.

**Mr CAMERON** — The Labor government will introduce a fully funded system — something that has not occurred in recent years. The system will be legally fairer. The crisis left by the former Kennett government is an enormous problem confronting the Labor government, but it will deal with it and introduce measures to bring about a fairer system for working people.

### **Wilson’s Promontory National Park**

**Mrs MADDIGAN** (Essendon) — Will the Minister for Environment and Conservation outline the steps being undertaken to ensure the protection of the Wilson’s Promontory National Park?

**Ms GARBUTT** (Minister for Environment and Conservation) — I thank the honourable member for the question and for her longstanding interest in the environment, especially on issues in her electorate, which she has raised in this place on many occasions.

The government’s policies on Wilson’s Promontory National Park and all national parks is in stark contrast to the policies of the former Kennett government. The government’s focus will be on nature conservation — the protection of conservation values represented in the national parks. It will reject the development focus of the former government.

Wilson’s Promontory National Park is one of the state’s foremost national parks. It is a Victorian icon. There is probably not a person in this house who has not holidayed at the promontory. It was the first national park created in Victoria and celebrated its centenary this year. It has outstanding environmental values and has a prominent place in the history of Victoria.

The former Kennett government proposed a series of large commercial accommodation facilities at Wilson’s Promontory, a 150-bed hotel, a 45-bed walkers’ lodge at Tidal River, new cabins and a commercial operation for the lighthouse.

**Mr Perton** — On a point of order, Mr Speaker, the question was specific and asked the minister to outline the proposals for Wilson’s Promontory. The minister has obviously forgotten that she is now a member of the government. The question did not relate to the opposition’s policies and I ask you to bring her back to order.

**Mr Batchelor** — On the point of order, Mr Speaker, the question relates to the protection of Wilsons Promontory National Park. In answering the question the minister is providing a detailed explanation of how she has saved the promontory from a destructive former government. The minister should be allowed to outline those initiatives in setting out the context of her answer.

**The SPEAKER** — Order! There is no point of order. However, I ask the minister not to debate the question or I will have to pull her up.

**Ms GARBUTT** — The Labor government believes Wilsons Promontory should be further protected and not degraded by large commercial facilities. I have asked my department to prepare a case to go to the federal government for world heritage listing of Wilsons Promontory. It has a strong case. I would be surprised if Wilsons Promontory did not meet the four criteria — it certainly meets the criterion of aesthetic value. Tidal River should be considered part of the national park, as it always was until the former Kennett government removed it from the management plan for the park and made it a resort.

A new integrated management plan will be developed for the promontory. The government's policy includes incorporating the lighthouse into the national park and that any new accommodation should be located outside the park. If there is a need for new commercial accommodation they should be provided outside the national park.

## PETITIONS

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

### Home 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, 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), and shared home opportunity scheme (SHOS), are not fit for the purpose for which they were intended.

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 (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.

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

**By Mr LENDERS (Dandenong North) (28 signatures)**

### Water: Melton supply

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

The humble petition of we, the undersigned citizens of the state of Victoria, sheweth that a water connection pipeline is needed to establish security of water supply and to ease the water restrictions in the Melton, Rockbank and Toolern Vale communities, which have been under water restrictions since October 1998.

A similar pipeline is being commissioned and built between the Melbourne Water and Western Water networks to connect the Greenvale Reservoir and the Sunbury township in order to alleviate identical problems being experienced in the Sunbury region.

Your petitioners therefore pray that the Kennett government immediately commission and build a water connection pipeline between the Melbourne Water and Western Water networks to provide security of water supply to Melton, Rockbank and Toolern Vale.

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

**By Mr NARDELLA (Melton) (778 signatures)**

### Rockbank traffic lights

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

The humble petition of we, the undersigned citizens of the state of Victoria, sheweth that traffic lights are urgently needed to be installed at the intersections of the Western Highway and Leakes Road and the Western Highway and Troupes Road (North), Rockbank, to ensure the safety of both vehicular and pedestrian traffic.

Your petitioners therefore pray that the Kennett government immediately commission and build the above traffic light systems as quickly as practicable and as a matter of urgency.

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

**By Mr NARDELLA (Melton) (798 signatures)**

### Northern Hospital, Epping

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 Northern Hospital, Epping, is in need of dialysis machinery to treat patients with kidney disease.

And your petitioners therefore pray that the Victorian state government issues funding to the Northern Hospital, Epping, for the installation of such vital machinery so that the hospital can be better equipped to perform its health care duties.

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

**By Mr LEIGHTON (Preston) (1085 signatures)**

### PANCH site

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 note the commitment of the state government to provide continuing health services on the Preston and Northcote Community Hospital site and that PANCH is a community asset.

Your petitioners therefore pray that the government makes no decision on the site without consultation and agreement of the community.

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

**By Mr LEIGHTON (Preston) (52 signatures)**

**Laid on table.**

## PAPERS

**Laid on table by Clerk:**

Driver Education Centre of Australia Ltd — Report for the year 1998

Melbourne and Olympic Parks Trust — Report for the year 1998–99

Melbourne Sports and Aquatic Centre Trust — Report for the year 1998–99

Parliamentary Committees Act 1968:

Interim Response of the Attorney-General to the Scrutiny of Acts and Regulations Committee's Report into the Right to Silence

Interim Response of the Attorney-General to the Law Reform Committee's Report on the Review of the Fences Act 1968

Victorian Institute of Sport — Report for the year 1998–99

**The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an order of the house dated 3 November 1999:**

Agricultural Acts (Further Amendment) Act 1987 — Section 26 on 12 August 1999 (*Gazette G30, 29 July 1999*)

Building (Plumbing) Act 1998 — Section 6 on 1 July 1999 (*Gazette G22 3 June 1999*)

Electricity Industry Acts (Further Amendment) Act 1999 — Sections 16, 18 and 19 on 25 June 1999 (*Gazette G25, 24 June 1999*)

Electricity Industry (Amendment) Act 1996 — Section 6 on 25 June 1999 (*Gazette G25, 24 June 1999*)

Electricity Industry (Further Amendment) Act 1994 — Section 5 on 1 July 1999 (*Gazette G26, 1 July 1999*)

Electricity Industry (Miscellaneous Amendment) Act 1997 — Sections 12 and 15 on 25 June 1999 (*Gazette G25, 24 June 1999*)

Fair Trading Act 1999 — Remaining provisions on 1 September 1999 (*Gazette G33, 19 August 1999*)

Fair Trading (Inspectors Powers and Other Amendments) Act 1999 — Remaining provisions on 1 September 1999 (*Gazette G33, 19 August 1999*)

Gas Industry Acts (Amendment) Act 1998 — Section 13(2) on 3 June 1999 (*Gazette G22, 3 June 1999*). Sections 31 and 32 on 24 June 1999 (*Gazette G25, 24 June 1999*). Remaining provisions of Part 4 on 1 September 1999 (*Gazette G31, 5 August 1999*)

Gas Industry Acts (Further Amendment) Act 1999 — Sections 34 and 35 on 24 June 1999 (*Gazette G25, 24 June 1999*)

Gas Pipelines Access (Victoria) Act 1998 — Remaining provisions (except for Division 2 of Part 3) on 1 July 1999 (*Gazette G26, 1 July 1999*)

Local Government (Governance and Melton) Act 1998 — Remaining provisions on 1 July 1999 (*Gazette G24, 17 June 1999*)

Longford Royal Commission (Report) Act 1999 — Act comes into operation on 8 June 1999 (*Gazette S83, 8 June 1999*)

Police Regulation and Firearms (Amendment) Act 1999 — Remaining provisions on 22 August 1999 (*Gazette G32, 12 August 1999*)

Rail Corporations (Amendment) Act 1997 — Section 4 on 1 July 1999 (*Gazette G26, 1 July 1999*). Section 37 on 24 August 1999 (*Gazette G33, 19 August 1999*)

Rail Corporations (Further Amendment) Act 1998 — Section 16 on 1 July 1999 (*Gazette G26, 1 July 1999*). Remaining provisions on 24 August 1999 (*Gazette G33, 19 August 1999*)

Rail Corporations and Transport Acts (Amendment) Act 1999 — Part 2 (except sections 6, 7, 12 and 15), Part 3 and section 49 on 24 August 1999 (*Gazette G33, 19 August 1999*)

## BUSINESS OF THE HOUSE

### Sessional orders

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

That unless otherwise ordered:

- 1 The house shall meet on Tuesday, Wednesday and Thursday, the Speaker to take the chair at 2.00 p.m. on Tuesday and 9.30 a.m. on Wednesday and Thursday.
- 2 So much of standing orders be suspended to allow during the present session that:
  - (1) Government business shall take precedence over all other business save for motions of want of confidence in the government and as provided for in sessional orders 3, 4, 8, 9, 12 and 14.
  - (2) Other than on grievance days pursuant to sessional order 4, the house is to proceed with its business each day in the following order unless a matter concerning the privileges of the house arises:

#### Tuesdays

Oral questions  
 Formal business  
 Statements by members (sessional order 8)  
 Government business  
 General business

#### Wednesdays

Formal business  
 Statements by members (sessional order 8)  
 Matters of public importance (sessional order 9)  
 Government business  
 Oral questions (at 2.00 p.m.)  
 Government business continued  
 General business

#### Thursdays

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

- (3) Where the house resolves to sit on a Friday, the order of business shall be the same as for a Thursday.
- 3 Notwithstanding sessional order 2:

- (1) So much of standing order no. 124 as allows members to ask oral questions without notice at the time of giving notices of motion be suspended and that members ask oral questions without notice at 2.00 p.m. each sitting day (other than on a Tuesday where a motion expressing sorrow at the death of a member or any other person may take precedence) and that on all sitting days questions may be asked from the time the Speaker calls on questions until the lapse of 30 minutes or 10 questions have been answered, whichever is the longer: provided that these sessional orders shall not permit more than one question time each sitting day.

- (2) At 2.00 p.m. on each sitting day (other than a Tuesday) the Speaker shall interrupt the business before the house, or if the house be in committee, the Chairman shall report progress and the Speaker shall then interrupt such business, and shall direct the bells to be rung for one minute; provided that in the event that a division is in progress at 2.00 p.m. such division shall be completed and the result announced and if such division be upon a closure motion any question required to be brought to conclusion as a result of such division shall be so brought to conclusion.

- (3) Any business under discussion and not disposed of at 2.00 p.m. shall be resumed immediately at the conclusion of the asking of oral questions, and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.

- (4) All questions shall be direct, succinct and seeking factual information.

- (5) All answers to questions shall be direct, factual and succinct.

- 4(1) Standing order no. 59 be suspended and the first order of the day, following statements by members, on every third sitting Wednesday after the opening of the session shall be the question ‘That grievances be noted’. Any member may speak to such question for not more than 15 minutes and the whole discussion on the question shall not exceed two and a half hours.

- (2) On grievance days so much of standing orders be suspended to allow during the present session business to be called on in the following order unless a matter concerning the privileges of the house arises:

Formal business  
 Statements by members (sessional order 8)  
 Grievances (two and a half hours)  
 Government business  
 Oral questions (at 2.00 p.m.)  
 Government business *continued*  
 General business

- 5 Notwithstanding the right of a minister to move a motion for the adjournment of the house pursuant to standing order no. 25:

- (1) At 10.00 p.m. on each sitting day the Speaker shall interrupt the business before the house, or if the

house be in committee, the Chairman shall report progress and the Speaker shall then interrupt such business, provided that: in the event that a division is in progress at the time of such interruption such division shall be completed and the result announced and if such division be upon a closure motion any question required to be brought to conclusion as a result of such division shall be so brought to conclusion.

- (2) Upon such interruption of business:
    - (a) Before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued; which motion shall be put forthwith without amendment or debate and if such motion is agreed to, the house or committee shall resume the proceedings at the point at which they had been interrupted; or
    - (b) If a minister does not so move, the Speaker shall forthwith propose the question 'That the house do now adjourn' which question shall be open to debate in accordance with the rules and practices of the house and paragraph (4); at the conclusion of the debate, the Speaker notwithstanding the provisions of standing order no. 24 shall adjourn the house without putting any question until the time of the next meeting.
  - (3) Any business under discussion and not disposed of at the time of the adjournment shall be set down on the notice paper for the next sitting and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
  - (4) On the motion 'That the house do now adjourn' the time available for the raising of matters on the motion be 30 minutes and the time limit per member be three minutes.
- 6(1) Standing orders shall be suspended to allow for the programming of government business and the following procedures.
- (2) Before the house meets for business in any week, the Leader of the house and the Deputy Leader of the Opposition (or their nominees) may meet as a Government Business Programming Committee with a view to reaching agreement on the manner in which the house is to deal with government business of the week. On the conclusion of each of such meetings, such leader and deputy leader (or their nominees) are at liberty to make public details of the outcome of the meetings.
  - (3) On the first day of the sitting week the Leader of the House or his or her nominee before the calling on of government business may move without leave a motion setting times and dates by which consideration of specified bills or items of business have to be completed in that sitting week. Debate thereon shall not exceed 30 minutes and, in speaking thereon, no member shall exceed five minutes.
  - (4) At a change of business, following a special meeting of the Government Business Programming Committee convened in accordance with the aims of paragraph (2), and without leave, the Leader of the House or his or her nominee may move a motion to amend the resolution under paragraph (3). Debate thereon shall not exceed 30 minutes and, in speaking thereon no member shall exceed five minutes. Any change to the program cannot come into operation until one hour after the motion is agreed to.
  - (5) Amendments to be proposed in committee of the whole to a specified bill may be circulated in the house during the debate on the question 'That this bill be now read a second time' after an announcement and request of a minister or a member (without leave but not when another member is speaking) foreshadowing such amendments: provided that these amendments are circulated two hours before the expiration of the completion time set under paragraph (3). Such announcement and request shall not be debated.
  - (6) On the expiration of the completion time set under paragraph (3), the Chair, in relation to a specified motion, shall put forthwith the question on any amendment and/or motion already proposed from the Chair for the purpose of bringing to a conclusion any proceedings on the motion.
  - (7) On the expiration of the completion time set under paragraph (3), the Chair, in relation to a specified bill, shall put forthwith the question on any amendment or motion already proposed from the Chair for the purpose of bringing to a conclusion any proceedings on the bill and:
    - (a) as required, the remaining questions necessary for the passage of the bill through the house and transmission to the Legislative Council shall be combined (except in the case of a bill that requires the second reading and third reading to 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 shall be put separately), the committee stage of a bill being dispensed with if no government amendments have been circulated pursuant to paragraph (5); and
    - (b) in the case of the consideration of any bill in committee of the whole or on any of the remaining stages at that time, the Chair shall put a combined question or a number of questions (the form and number being at the discretion of the Chair) disposing of any clauses and schedules and any amendment and new clauses and schedules desired by the government — copies of which have been circulated in the house pursuant to paragraph (5) — and any other questions required to dispose of the bill (as the case may be) before the committee of the whole or the house. (No other amendments, new clauses or schedules shall be proposed).

- (8) After the house has concluded the proceedings under paragraph (6) or (7), in the case of each remaining specified bill or item of government business, the Chair shall:
- (a) in the case of a bill, put in a combined question, as required, the questions necessary for the passage of the bill through the house and transmission to the Legislative Council (including any amendments and new clauses and schedules desired by the government which have been circulated pursuant to paragraph (5)), the committee stage being dispensed with; and
  - (b) in the case of a bill that requires the second reading and third reading to be passed with an absolute majority of the whole number of the members of the Legislative Assembly, put separately the questions necessary for the passage of the bill through the house and transmission to the Legislative Council, (including a combined question relating to any amendments and new clauses and schedules desired by the government which have been circulated pursuant to paragraph (5)), the committee stage being dispensed with; and
  - (c) in relation to any bill being considered in the committee of the whole, put a combined question or a number of questions (the form and number being at the discretion of the Chair) disposing of any clauses and schedules and any amendment and new clauses and schedules desired by the government — copies of which have been circulated in the house pursuant to paragraph (5) — and any other questions required to dispose of the bill (as the case may be) before the committee of the whole or the house. (No other amendments, new clauses or schedules shall be proposed); and
  - (d) in the case of a remaining item of business other than a bill, put a combined question (if required) which brings to a conclusion the proceedings.
- (9) If, on the expiration of the completion time set under paragraph (3), the house or committee is considering a non-specified motion or bill, and there are specified motions or bills to be completed, the Speaker shall interrupt the business before the house, or if the house be in committee, the Chairman shall report progress and the Speaker shall then interrupt such business: provided that in the event that a division is in progress such division shall be completed and the result announced and if such division be upon a closure motion any question required to be brought to conclusion as a result of such division shall be so brought to conclusion. The house shall then consider such motions or bills as required by paragraph (8). At the completion of such motions or bills the house or committee shall immediately resume the interrupted business and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
- (10) The Chair shall not accept any points of order once the expiration of the completion time under paragraph (3) has arrived and until all the required questions under paragraph (6), (7) or (8) have been dealt with.
- (11) 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 bill or item of business.
- 7(1) Where a person who has been referred to by name, or in such a way as to be readily identified in the house or in the committee of the whole house, makes a submission in writing to the Speaker:
- (a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person; and
  - (b) requesting that the person be able to incorporate an appropriate response in the parliamentary record
- and if the Speaker is satisfied:
- (c) that 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 Privileges Committee; and
  - (d) that it is practicable for the committee to consider the submission under this sessional order
- the Speaker shall refer the submission to that committee.
- (2) The committee may decide not to consider a submission referred to it under this sessional order if the committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the house.
- (3) If the committee decides to consider a submission under this sessional order, the committee may confer with the person who made the submission and any member who referred in the house to that person.
- (4) In considering a submission under this sessional order, the committee shall meet in private session.
- (5) The committee shall not publish a submission referred to it under this sessional order or its proceedings in relation to such a submission, but

may present minutes of its proceedings and all or part of such submission to the house.

- (6) In considering a submission under this sessional order and reporting to the house the committee shall not consider or judge the truth of any statements made in the house or committee of the whole house or of the submission.
- (7) In its report to the house on a submission under this sessional order, the committee may make either of the following recommendations:
- (a) that no further action be taken by the house or by the committee in relation to the submission; or
- (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the committee, be published by the house or incorporated in *Hansard*

and shall not make any other recommendations.

- (8) A document presented to the house under paragraph (5) or (7):
- (a) in the case of a response by a person who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
- (b) shall not contain any matter the publication of which would have the effect of:
- (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
- (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) the committee may agree to guidelines and procedures, not inconsistent with this sessional order, to apply to the consideration by it of submissions.

8 Following formal business, if any, on each sitting day members are permitted to make statements on any topic of concern and any member may be called by the Chair to make such statement for a period not exceeding 90 seconds and the period allowed for these statements shall not exceed 15 minutes.

9 Standing orders nos 26 and 27 be suspended and that:

- (1) Save for on grievance days pursuant to sessional order 4, precedence shall be given to matters of public importance immediately after statements by members pursuant to sessional order 8 each sitting Wednesday. A member may propose to the Speaker that a definite matter of public importance be submitted to the house for discussion. Proposals for discussion accepted by the Speaker shall rotate

between those made by non-government members and those by government members. Acceptance of matters proposed from non-government members shall be at the Speaker's discretion and determined on a pro-rata basis according to the non-government representation in the house.

- (2) The member proposing the matter shall present to the Speaker, not later than 4.00 p.m. on the day prior to the day on which a matter may be discussed, a written statement of the matter proposed to be discussed.
- (3) In the event that more than one member proposes matters for discussion on a particular day, the Speaker shall determine the subject for discussion.
- (4) The Speaker shall reach a decision as to whether a matter is in order and shall advise the leader of each party and the Independents the subject determined for discussion not later than 5.00 p.m. on the day prior to the day on which the matter is to be discussed.
- (5) Only one matter shall be discussed on any one sitting day.
- (6) On the day of the proposed discussion the Speaker shall read the written statement of the matter proposed to be discussed to the house. The Speaker shall then call upon the member who had proposed the matter to speak.
- (7) The discussion shall be no longer than two and a half 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.
- (8) At any time during the discussion, a motion may be made by any member 'That the business of the day be called on' and such motion shall be put forthwith and decided without amendment or debate and, if agreed to, the business of the day shall be proceeded with immediately. No other question seeking to end the discussion shall be proposed.
- 10 So much of standing order no. 117 be suspended to allow the following procedure if the Speaker considers the conduct of a member to be disorderly:
- (1) If the Speaker considers the conduct of a member to be disorderly or on report of the Chairman of Committees, considers the conduct of a member to be disorderly, the Speaker may order the member to withdraw from the house for up to a maximum period of one and a half hours which order shall not be open to debate or dissent; and
- (2) Such suspension will not prohibit a member from returning to the chamber for the purpose of voting in a division; and
- (3) If a member is ordered to withdraw under paragraph (1) and the sitting of the house concludes before the expiration of the time ordered by the Speaker, the member shall not take his or her seat

- in the house on the next sitting day until after the remainder of the time has expired, to be calculated from the end of the ringing of the bells; and
- (4) If a member does not immediately withdraw from the house when ordered to do so under paragraph (1), the Speaker may name the member pursuant to standing order no. 117 and shall forthwith put the question, on a motion being made 'That such member be suspended from the service of this house'.
- 11 Standing order no. 104 be amended in the first paragraph by substituting 'twenty minutes' for 'thirty minutes'.
- 12 The practice of the house in moving motions of condolence be suspended and that the following procedure be adopted:
- (1) Precedence on a Tuesday will be ordinarily given by courtesy to a motion of condolence 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) In relation to the deaths of former members not referred to in paragraph (1), before formal business on a Tuesday the Speaker shall announce the death of that member and ask members to rise in their places as a mark of respect to the memory of the deceased and the Speaker shall convey a message of sympathy from the house to the relatives of the deceased.
- 13 So much of standing order no. 248B be suspended so as to allow a member, after giving prior notice to the Clerk, to personally read the terms of the petition and the number of signatories during the time for statements by members pursuant to sessional order 8. In the event that a member so elects, he or she cannot move that the petition be taken into consideration as provided in standing order no. 248C.
- 14 Notwithstanding the provisions of these sessional orders, general business notices of motion and orders of the day may, at the discretion of the government, be called on in substitution of a discussion of a matter of public importance pursuant to sessional order 9.
- 15 Notwithstanding standing order no. 177:
- (1) On any day where the house does not rise for a lunch break a division shall not be permitted on any question between 1.00 p.m. and 2.00 p.m. If a division is required between such times, debate on

the item shall stand adjourned until later that day and the next item of business shall be called on.

- (2) On any day where the committee of the whole house does not rise for a lunch break a division in committee shall not be permitted on any question between 1.00 p.m. and 2.00 p.m. If a division in committee is required between such times, progress shall be reported until later that day and the next item of business shall be called on.
- (3) Motions under standing order no. 70 (closure of debate) or under standing order no. 105 (guillotine) shall not be moved between the hours of 1.00 p.m. and 2.00 p.m.

**The SPEAKER** — Order! Before calling the Leader of the House, I wish to make the following statement.

I am aware that some honourable members may 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, with the concurrence of the house, that the matter will be treated 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 committee of the whole.

After the general debate has concluded, I will defer putting the motion moved by the Leader of the House until the Clerk has called each of the proposed sessional orders to which amendments may be moved. When all the sessional orders have been called, considered and dealt with, I will put the appropriate question 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 relating to numbering, consequential renumbering and other clerical amendments that may arise. I now call the Leader of the House.

**Mr BATCHELOR** — I appreciate your advice, Mr Speaker, because it will facilitate the handling of a complex debate and enable as many members of the house as possible to participate and to have some understanding of the way in which the interlocking procedural issues are dealt with.

The sessional orders standing in my name were distributed to all honourable members yesterday when the government gave notice of the motion. They were provided to my shadow, the honourable member for Monbulk, on the day prior to that so opposition members would understand what the government was proposing and could prepare for the debate in discussions among themselves. Providing that

information to the opposition is a significant demonstration of the government's good faith, which I hope will result in a better standard of debate on the sessional orders than has been the case in the past.

The government makes no apologies for wanting a better standard of debate and calls on the opposition to join it in achieving that aim. The Labor government's provision of detailed sessional orders in advance was not something the opposition did when it was in government. The coalition government would just walk in, hand out the proposed sessional orders and expect not just the then opposition but all honourable members to instantly understand them and deal with them. The government has given advance notice and handed out detailed information in the hope that that will enhance the debate.

In summary, the sessional orders will provide for the good management of the house and for good government. They will give all members, including members of the opposition, additional and realistic opportunities to engage in open debate. They will also give the Independent members of the chamber realistic opportunities to join in debate.

The Labor government's attitude contrasts starkly with that of the previous government, which wanted none of those opportunities made available to the house through the sessional orders. The contrast could not be starker. The government is introducing sessional orders that build and expand on those previously in place by trying to include private members' business in proceedings and giving opposition members opportunities that are not constraining or irrelevant because they are out of time and out of date. They provide for a range of procedures that will allow individual members to discharge their responsibilities as members of Parliament.

In introducing the sessional orders the government is seeking to look after the interests of the National Party when the partnership inevitably breaks down and it splits away from the Liberal Party.

At the heart of the changes to the sessional orders the government is proposing lie not only the Labor Party's commitment to open government and to a more open and workable Parliament but also its respect for the wishes of the Independent members of the Parliament. The government acknowledges that the Independents, through their charter, sought a number of changes to the sessional orders that applied during the term of the previous government.

The government has had discussions with the Independents and taken on board the elements contained in their charter. Subsequently, in the development of its proposed sessional orders the government has obtained advice from the Independents and has accepted additional suggestions that constitute to them further improvements to the sessional orders. The government has given plenty of prior advice to the opposition about the discussions with the Independents and the various changes they suggested and regarded as distinct improvements to the operation of sessional orders. The government has taken those suggestions on board.

The government wants to ensure that the Independents have a role and a place in this parliamentary setting, which essentially reflects a two-party system, not just in theory but in practice. It takes seriously its obligation to ensure that in this Parliament, under the stewardship of the Labor Party, the Independents will be able to contribute and participate. The government has devised mechanisms so the Independents can properly conduct their business in this place as true Independents — as you would expect from the calibre of individuals such as those three.

It is useful at this stage to reflect upon the detail of the Independents charter. The Deputy Leader of the Opposition agrees by interjection that that would be useful. I will take up her request and examine the Independents charter and its effect on both sessional and standing orders. Honourable members will see by comparing previous sessional orders with those proposed that all items in the charter have been addressed.

Paragraph 2.2 of the Independents charter — and honourable members should remember that it is their charter, devised and drawn up by themselves — states:

- 2.2 Revise both sessional and standing orders of Parliament to allow for:
  - (a) a requirement that ministers actually answer questions during question time;
  - (b) a minimum number of sitting days per year;
  - (c) more questions on each sitting day (a minimum number of questions instead of a time limit on question time);
  - (d) more grievance and 'issues of public importance' debates;
  - (e) the opening up of opportunities to debate private members' bills and petitions.

Those requests from the Independents must be seen in relation to the sessional orders of the previous Parliament put forward by the former government. As the Independents can articulate for themselves — and I hope they do — they suffered badly as a result of those sessional orders, as did the Labor Party in opposition. They were restrictive, harsh and undemocratic. It is timely that they are now to be dramatically changed.

The government thanks the Independents for placing the matter on the public agenda. Never before have I seen sessional orders and the conduct of Parliament become an issue of constructive public debate. All around Victoria people have talked about what should happen in Parliament, how honourable members should conduct themselves, what the outcomes should be and how they might be measured — all of that because the Independents chose to raise important, fundamental threshold questions in their charter.

In reply to the charter both major political parties were obligated to provide some sort of response. The Labor Party did it and so did the Liberal Party. The government's response was dynamic, and as a result further improvements have been incorporated. No doubt the house will hear later from government members about how important it is to them that the operation of Parliament be vastly improved. The Labor Party in opposition was very concerned about the issue and talked about it for a long time. Now it is putting the resolution of those concerns into practice.

No doubt honourable members will also hear from members of the opposition about their amazing turnaround and complete series of backflips. I am sure we will hear an extended range of requests from them for things they had the opportunity to supply but were not prepared to allow while they were in government. Not only were they gagged during the election debate but they were effectively gagged during their seven years of government. Those members of the opposition who rise to make claims about wanting a more open and accessible Parliament must be asked what they were doing during the past seven years when they had the opportunity to bring forward such ideas. Why did they not speak up? Why didn't they go into the Liberal or National party rooms, the coalition meeting room or the cabinet room and tell the Premier of the changes they wanted brought forward?

They were too frightened, weak-kneed and gutless to do it. They will have the temerity to come into Parliament today, beat their chests and pretend they are the representatives of parliamentary democracy, yet when they were given every opportunity over the past

seven years to do something about it they buckled at the knees.

They have been weak and ineffective in the past, and if opposition members get up in the debate today and say they want to see an expanded and more open Parliament we will know who deserves to win the hypocrites award of this new parliamentary session. We will watch as they stand up one after the other and pretend they are the great defenders of parliamentary tradition, but we will know that each and every one of them is telling a lie because they did absolutely nothing about it in the past. The government will not tolerate hypocrisy in Parliament.

The Labor Party seeks to provide the opportunity for the opposition, the Independents and individual members to participate in debate. I will outline the concepts underpinning the proposed sessional orders and try to explain the objectives the Labor Party sought to achieve when drafting them.

The government has looked at the parliamentary sitting hours, and they present a very vexed problem. As government members will no doubt say today, long sitting hours are a big problem. An example of long sitting hours occurred last night when Parliament adjourned at 1.26 a.m. Sittings for previous openings of Parliament have continued to around 4.00 a.m., but it is difficult to expect people to return to work the next day after a sitting finishing at 1.26 a.m. A lot of debate and discussion on parliamentary sitting hours has taken place. The government is proposing changes that will see Parliament start earlier in the day — 9.30 a.m. — on Wednesdays and Thursdays and the traditional starting time of 2.00 p.m. on Tuesdays. Under this proposal Parliament would sit on Tuesdays and Wednesdays until 10.00 p.m. and on Thursdays until 4.30 p.m., although it would probably conclude at around 4.00 p.m. to enable country members to make travel arrangements to return home.

Some government members when in opposition talked about different sitting arrangements. The government is prepared to consider those suggestions, because notwithstanding the sessional orders proposed today the government believes parliamentary sitting hours should be looked at more thoroughly to see whether there are ways to make them more tolerable. The government will ask the Standing Orders Committee to examine the issue, canvass the views of all honourable members and make recommendations. In the interim the government acknowledges that, particularly for country members, what may be family-friendly sitting hours for some may not be family-friendly for others.

The government acknowledges that situation in the proposed sessional orders and will ask a group of parliamentarians to canvass their colleagues to see whether there are opportunities to improve the hours. The government will consider the recommendations, and if it is found that the traditional hours are the best arrangement or that some other creative solution is better, the government will act appropriately.

The second concept underpinning the proposed sessional orders is an attempt to make more effective use of the time allocated for questions without notice, which is a core part of the Independents charter. The proposed sessional orders require 10 questions to be asked each day. They also set a minimum rather than a maximum time limit for questions without notice. That issue was also addressed in the Independents charter. The charter refers only to the number of questions without notice to be asked each day, but in the discussions and negotiations between the parties that took place before the new government was formed all sides agreed in essence to allow a set number of 10 questions without notice each day.

Following further discussions, the Labor Party and the Independents came up with the suggestion that is embodied in the government's proposed sessional orders that improves upon that and takes it further. In essence, on behalf of the opposition and the non-government members in this chamber, the Independents have asked to have their cake and eat it too — that is, they have asked for more questions, and the government has agreed to that. I make no embellishment as to whether the government is reluctant or enthusiastic about that.

The Independents also wanted a minimum time requirement to be incorporated in sessional orders to prevent ministers from giving very brief answers and then sitting down resulting in only perhaps 10 or 15 minutes of question time. The government would not want that to happen.

As suggested in rulings by the previous Speaker, question time is about seeking and giving information. The Independents have asked the government to incorporate in the sessional orders a set number of questions to be asked each day — namely 10, which is a much greater number than has been achieved in the past. They also wanted a clause included to prevent the government from acting in the way I have just described — that is, simply providing the information and sitting down resulting in reduced time for questions. In a sense, the additional improvement to the original charter proposed by the Independents and accepted by the government looks after the interests of

the public by requiring the government to be much more accountable during question time. That has been incorporated as sessional order 3.

When the opposition responds I suppose its members will say, 'But you've done something different to what was in the original charter'. That is right. The government has done something different; it has dramatically improved sessional orders with respect to question time. Not only has question time been improved on the basis of the government's response to the Independents charter, but the government's proposal is a dramatic improvement on the proposal of the opposition parties. I will come back to a comparison of various items later.

The third area I will deal with is a new parliamentary procedure the government will introduce called statements by members. It is proposed that at the beginning of each sitting day — —

*Opposition members interjecting.*

**Mr BATCHELOR** — The government is offering to provide extra opportunities for members of parliament and the opposition is whingeing and complaining already. Notwithstanding the interjections, the government will proceed with the proposal because it will benefit individual members and provide new opportunities. It is clear that honourable members opposite still have the mind-set that they are in government and it will take a little while for them to get out of that. They may go through a dark and horrific period adjusting to it, but after that they will understand the benefits of this new initiative particularly for them, although it is not designed to benefit only them. It is a vehicle by which all members can make statements.

A similar procedure is used by the commonwealth parliament to allow members to make 90-second statements each day on anything relating to their work as members. They can thank people who have made good contributions to their electorates.

Honourable members may want to congratulate people who have excelled in their local communities, and the government proposes to provide an opportunity for honourable members who want to present a petition to Parliament in this way rather than having it dealt with in the way it has been in the past — that is, being read into the parliamentary record by the Clerk, with no further mention ever being made. It is an opportunity for honourable members to introduce petitions. I will turn to the opportunities for honourable members to debate petitions at a later stage.

**Mr McArthur** interjected.

**Mr BATCHELOR** — The honourable member for Monbulk is a bit confused about the standing and sessional orders. He does not understand the existing ones, let alone the government's proposed changes to sessional orders.

The government proposes a new procedure at the beginning of the day that will allow 90-second statements to be made during a 15-minute period. The call will alternate from one side of the chamber to the other.

The statements will replace the general business motions previously placed on the notice paper that never got up and were never going to be debated. They were placed on the notice paper as one of the few devices the opposition had for engaging in parliamentary debate. All long-standing members will remember what a farce that was. The notice paper had hundreds of notices of motion. A notice from one side of the chamber was followed by a notice from the other side, but none of them were ever going to come up. There were approximately 300 on the notice paper, and during the last sittings perhaps only 14 of them were debated.

The government will provide an opportunity each day for statements to be put on the parliamentary record during the period set aside for members' statements. Matters will be put contemporaneously, which is an important aspect of political debate. Under the previous government's procedure for general business, notices of motion, honourable members had to decide up to four years in advance the text of a motion he or she might want to debate at some later date. We all saw how quickly those notices of motion became irrelevant. It was ridiculous, and everybody knew they would never be debated.

The government will provide an opportunity to make contemporaneous statements. It is a free, open form of parliamentary opportunity, and the government believes it will develop into an important part of the parliamentary timetable for individual members.

I turn to the government's approach to petitions. Previously I pointed out that petitions could be tabled only in an administrative way by the Clerk. There were some opportunities under the standing orders to ask for petitions to be debated, but they were included in general business on the notice paper. Again, the motions were never debated. I cannot remember one occasion during the past seven years when a petition was debated. It was a farce. A request to discuss the petition could go on the notice paper, but it went to the end of the queue. If one had 20 years of parliamentary

debates, one could not get through that queue. The former opposition tolerated that situation for the past seven years.

The government will enable honourable members to present petitions during the personal statement period under sessional order 8. A member who wants to debate a petition will be able to do that through the MPI — matters of public importance — process and will be able to do so when the issue is contemporary. Honourable members will have plenty of time to debate, and they will have the full support of their parliamentary colleagues. It will be a fully fledged debate on not only the content of the petition but also the general political climate around which the petition is framed.

For example, a petition about saving the water wall at the National Gallery of Victoria could be presented during the members' statement period at the beginning of the day. An MPI could be framed that would allow the honourable member to debate the pros and cons, and all honourable members could participate in a thorough debate on the petition.

The debating of petitions was one of the matters raised by the Independents. Part 2.2(e) of the Independents charter calls for:

... the opening up of opportunities to debate private member's bills and petitions.

The MPI process is a vehicle by which petitions can be debated — —

**Mr McArthur** interjected.

**Mr BATCHELOR** — The honourable member for Monbulk says by way of interjection that the government has the right of veto over MPIs. That is not the case, and he knows it is not the case. The government does not have a right of veto.

The major change to the sessional orders is a new sessional order 9, which deals with matters of public importance and the debates that will follow. To understand the significance of the proposal one must remind oneself of the way general debate took place in previous parliaments. A constrained and restricted interrelated set of sessional and standing orders made it almost impossible for a government or opposition member to bring forward matters of great moment for genuine debate in the house.

One could go back to the Wednesday morning farce cruelly applied by the former government and bitterly opposed by the former opposition where honourable

members supposedly had an opportunity to debate general business motions. However, business was structured in such a way that both sides of the chamber took turns in placing motions on the notice paper at the commencement of parliamentary sessions. If your motion was at the head of the list you may or may not have had an opportunity some time down the track — possibly one, two or three years — to have the motion debated. Under the former government sitting days were restricted and that was the vehicle used to prevent notices being debated.

The former opposition, both individually and collectively, found that when a motion finally came up for debate it was out of date and politically irrelevant. One would hope that a parliamentary chamber would provide an opportunity for either the opposition or individual members to effectively debate current matters of importance.

**Mr Clark** interjected.

**Mr BATCHELOR** — The honourable member for Box Hill refers to standing order 26, which was another farce. The interrelationship between general business motions that were four years out of date and standing order 26 was used to prevent any real or effective debate.

The Labor Party was more skilled and effective at getting motions accepted under standing order 26 because it understood the arcane and artificially constraining rules used to knock out most valid attempts to debate a matter of contemporary interest in Parliament. When the Liberal Party was in opposition its members did not understand that and were not very successful. Nevertheless, despite the former opposition being more successful in having motions accepted under standing order 26, the standing order was still a farce and former government members knew it.

It was farcical because the effective rules governing acceptable and permissible debate almost ruled out everything one wanted to debate. Standing order 26 could not be used, for example, as a vehicle to raise ongoing issues such as the automatic ticketing, Intergraph, casino tendering, or credit card scandals. They continued day after day, week after week and month after month. Standing order 26 states that matters occurring on a continuing basis cannot be debated. Laws and restrictions applied that made it difficult, if not impossible, to debate current issues.

The Labor opposition spent much time on Tuesday nights crafting motions. Generally it was pretty good at it but the subjects were not issues opposition members

wanted to raise. They were restrained by the artificial constraints — whether the issue was continuing or whether it was the first available opportunity. I will not go through all the constraints. The government wants to do away with that and provide an opportunity for honourable members to debate what they want. The procedures for matters of public importance provide for that.

The government is picking up various elements in the previous process and seeking to apply them to an MPI process that includes the rotation and sharing of opportunities between honourable members and casting away unnecessary burdens. That will be a boost for the opposition. It does not realise how important that will be.

**Mr McArthur** interjected.

**Mr BATCHELOR** — The honourable member for Monbulk will have an opportunity to enter the debate. If he listens carefully he might understand how the system will work under the government's administration.

The government is proposing a debate of 2½ hours each Wednesday morning, except for every third Wednesday when the grievance debate will take place. That debate is a sought after parliamentary vehicle because honourable members are provided with an unrestricted opportunity to initiate a debate of their own choosing. Sufficient time is given to ventilate most of the subject matter.

The government will make that opportunity more certain. In a minimum 50-day session, on average there will be at least three grievance debates. In a parliamentary session of 27 days or nine weeks the grievance debate must take place, at a minimum, every third Wednesday. Honourable members will have at least three grievance debates over a nine-week period.

If the parliamentary session were extended there would be provision for more grievance debates, which is the difference between what the government wants to see and what applied previously.

The government would require notice to be given the day prior to the raising of a matter of public importance to enable members to properly prepare for a debate. Initially Labor suggested the requirements should apply every day for such matters, but with a limited amount of time allowed it would mean limited participation by honourable members. The Independents requested a change in the original proposal. It was important to improve the MPI procedure and they thought that could be done by having debates on such matters occur for a

much longer period on Wednesdays. They believed it would provide greater opportunities for more members to join in debate on the hot topic for that day or week, which inevitably would be the subject of a debate on such a matter.

The government's sessional orders allow for more people to be engaged in such debates, including Independents. The government did not intend to exclude the Independents through having daily debates on matters of public importance, but it was pointed out that the most likely impact of a daily debate would be that the set speech gives from both sides of the Parliament would dominate and others on both sides would not be able to participate. That was a valid and important point and the government was prepared to accept the improvement.

The genesis of having a weekly MPI debate was an initiative that arose from the Liberal Party response to the charter. The government was pleased to pick up an element of the Liberal proposal put to it by the Independents as a way of trying to improve the level of participation in debates.

There are circumstances in which other types of debates will be needed. A disallowance motion or a private member's bill are examples. I have never seen a private member's bill debated in this Parliament. There is a need for a vehicle through which such bills can proceed on the rare and exceptional occasions that is necessary or there is agreement that it should take place. As part of the proposed interlocking sessional order changes there will be opportunities for private member's bills and disallowance motions to be debated. Such debates will occur by agreement with the government and it will initiate the process, unlike the previous government, which refused to allow such opportunity both in an institutional way and through its use of sessional and standing orders.

**Mr McArthur** interjected.

**Mr BATCHELOR** — The cant and hypocrisy we will hear later today, as we are hearing from the honourable member for Monbulk by way of interjection, shows that the former government had and the current opposition has no desire to entertain private member's bills. In opposition you get few opportunities to initiate anything, and that was true under the previous government. One of the devices the Labor Party used was to put forward private member's bills. It did it in a number of areas. They were placed at the bottom of the general business list and the former government would never allow them to come forward.

The government will have a process whereby on the rare occasion — I do not know and cannot predict what issue would need to be covered by a private member's bill — an issue arises that needs to be debated, the member concerned will come to the government, and if the government agrees it will provide the parliamentary opportunity for the bill to proceed. It would have to be done by agreement. The government is saying up front that if any honourable member wants a private member's bill to come forward, it will work out a way to do it. The government will allow such matters to be dealt with on Wednesday mornings, and in those instances the debate on a matter of public importance would be deferred until the following week.

MPIs will be discussed on a rotational basis as follows: if an MPI is listed or is coming up for discussion and the government feels the bill is important, it would not lose priority; it would be deferred until the next week.

The chamber does not have a history of private members' bills, but the government wants to provide an opportunity to allow them to come forward by agreement.

The progressing of legislation through the parliamentary chamber is the responsibility of the government. It is necessary to win elections to get into government: losing elections means going into opposition. The opposition knows, as does the government, that only the government can initiate while the opposition can only whinge, carp and moan. The opposition will remember and regret that every day for the next four years. Members of the opposition should have spoken up during the past seven years and had the courage to stand up within the party room instead of being stood over by the man who ruled it all.

Now there will be a sudden outpouring of enthusiasm for speaking up and opening your mouth, but if it had happened years ago the opposition members may now be on this side of the house introducing sessional orders. Had the Liberal Party been in government and the Labor Party been making the request, the Liberal Party would not have agreed.

The government believes debates on matters of public importance, as set out by the sessional orders, will provide realistic regular opportunities for discussing the hot issues of the day. The debates will be conducted on Wednesday mornings when large numbers of people from both sides of the house can participate. The debates will go for 2½ hours. The lead speakers will be restricted to 15 minutes and the subsequent speakers to 10 minutes, and many people will be able to participate. The Labor Party was not worried about participation in

opposition and is not worried about participation in government.

It will be seen from the comments that follow that members of the new opposition will be terrified of participation because they have not known how to do it for seven years. It is a new concept and a new plan and the opposition will have to learn the hard lesson — —

**An honourable member** interjected.

**Mr BATCHELOR** — Absolutely; they were gagged. Not only that, they were not listening and they should have been.

The government will also provide the Speaker with greater opportunities to provide order and discipline, which on many occasions in the past have gone out the window. Previously, the Speaker could only name and suspend a member.

The government is proposing the introduction of a sin-bin; the Speaker will have the power to temporarily remove a member from the chamber for a maximum period of 1½ hours.

The provision will give honourable members time and space to cool down or have a cold shower.

**Mr Mildenhall** — It has ‘Mordialloc’ written on the front.

**Mr BATCHELOR** — The honourable member for Footscray may be right. Given that it is the Spring Racing Carnival, perhaps the honourable member for Doncaster will run a sweep to see who is likely to be the first and most frequent user. The provision will allow the Speaker to maintain discipline and order in the house. A member will be removed from the house for 1 hour and 30 minutes. If the honourable member refuses to leave the house he or she will be named and by order of the chamber be removed for 24 hours. During a division the person in the sin-bin will be entitled to vote, but will not be entitled to engage in any other activity within the chamber. One would hope that the offending member could use the period to gain self-control or obtain good counsel. It may be a combination of both. The honourable member for Monbulk may have to provide considerable counsel to the honourable member for Mordialloc because I am sure there will be many occasions when the honourable member will be unable to restrain himself.

Proposed sessional order 11 proposes to reduce the time limits for speeches from 30 to 20 minutes. Ministers and lead speakers for the opposition will have unlimited time but subsequent speakers will be limited to

20 minutes. During the last Parliament some members spoke for too long.

*Honourable members interjecting.*

**Mr BATCHELOR** — I accept that is the problem with the standing orders under which the debate is operating. Perhaps it is a good demonstration why speeches should be contained. I hope lead speakers will keep their speeches as short as possible, and I will try to do that today. On many occasions honourable members have filled out their 30 minutes. The government believes a 20-minute time limit would enable more members to participate in debates. If honourable members cannot say all they need to say in 20 minutes they should not be here. Not many honourable members would disagree with this sensible outcome, because it is designed to allow more members to participate in debate — a major underpinning of all the proposed sessional orders.

Proposed sessional order 12 introduces a significant change to condolence motions. Honourable members should give serious consideration to this provision. The government acknowledges that condolence motions are part of parliamentary procedure and tradition. The government is trying to accommodate the need to maintain and enhance the traditions, without unduly impacting on parliamentary time. The government proposes that a condolence debate take place where a sitting member, a member from the immediate preceding Parliament, a minister, a high official or a significant parliamentary or political figure has died. However, for members of earlier parliaments who were not ministers or senior officials condolences will be expressed by the moving of a motion on the resumption of Parliament on the Tuesday and all members standing in their places for a respectful period.

**Mr Smith** — How far back do you go?

**Mr BATCHELOR** — Unless they were a Premier, a minister or members who have held senior positions or were held in a high regard, the immediate past session. The procedure will need to be applied with some commonsense. The government believes it is a more meaningful way to proceed and hopes it receives support. As I said earlier, it will require cooperation and commonsense, but the government will monitor it over a period and if the provision does not meet the wishes of the house and the needs of the Parliament, changes will be made.

I have spoken in passing about proposed sessional order 4, the grievance debate, which will occur every third sitting Wednesday. Grievance debates will take

precedence over matters of public importance when they occur. The grievance debate will follow member statements and will continue for 2 hours and 30 minutes with 15 minutes for each speaker.

Proposed sessional order 6 aims to maintain the concept of a government business program in committee and the attendant consequences that flow from that. The provision has been in operation during the term of the last government. It provides an administrative framework that allows for good governance in the house and the progression of legislation. The government has not thrown out all the previous government's sessional orders. It has taken those that have worked and added to them to ensure more opportunities for members and the opposition. The new process for the right of reply will continue. It has not been used yet, but it provides a measure of protection for honourable members.

Televising and broadcasting of Parliament is currently covered by resolution; the government supports that situation and it will continue. If it had been necessary to move new resolutions, the government would have adopted those currently in place. The government has agreed to and supported the inclusion of an additional television camera but, as honourable members can see, that does not guarantee that they will always be here. However, the opportunity should always be available to the media to provide full coverage and scrutiny of Parliament as part of the public accountability process the government believes should occur.

I have been able to outline in plain English the intent of the proposed sessional orders, which the government believes pick up every aspect of the Independents charter. In fact, the base provisions of the charter have been added to, extended and improved following consultation with the Independents.

The government even attempted to consult with the opposition. The government would have been happy to sit down with the opposition, go through the proposed sessional orders and attempt to reach an agreement. The opposition declined that opportunity, which is its right, and will proceed with moving its own sessional orders later today. The government will support its own proposal, and the opportunity to resolve any differences and come into the house with a unified position is not now available.

In drawing up its proposed sessional orders the government has accepted and adopted improvements put to it by the Independents. The opposition has chosen not to participate in that process but rather to exercise its rights in the Parliament as it is now doing.

As I said, the government will proceed to support its own sessional orders through the remainder of the debate.

**Mr McARTHUR** (Monbulk) — I congratulate you, Madam Deputy Speaker, on your appointment to the position, and look forward to hearing some of your rulings in the future. I am sure you will make plenty!

As the Minister for Transport has said, the current debate is important and will go on for some time. A number of people want to make contributions to the motion for one simple reason — that is, the result of the debate will set the program and timetable for the operation of this house every day of the week for the life of the current Parliament, and unless honourable members get it right they will lose future opportunities. For that reason, all members should have the opportunity to join in the debate; the debate should not be curtailed and should run its natural course.

I welcome this morning's ruling of the Speaker, which followed the precedent set by Speaker Delzoppo four or five years ago that the debate on sessional orders be treated as if it were debate on a bill. He ruled that he would allow debate and decision on individual amendments rather than having debate on the whole question at the same time. That would have led to honourable members popping up all over the place proposing amendments in random order, which would have made it difficult for the Chair to maintain control of the debate, difficult for individual members to understand what was happening and impossible for members of the public to understand what was happening at any given time. The ruling will allow a much more ordered, cogent and reasonable debate and provide some logic to its process and conclusions.

There is another reason why it is an important debate. I will give a thumbnail sketch for the benefit of new members — and there are a number in the house — and the Independent members, as even those who were here during the last session are still somewhat bemused by the layers of rules, practices and precedents that control the operation of debate in the house. Most honourable members have glanced through the standing orders. Those orders have been in place, largely unamended, in most cases for well over 100 years. Some were inherited from Westminster and date back several hundred years, drawing their strength from ancient Westminster practice. Others have been arrived at by deliberate decisions of the house and have stood the test of time.

There is also the practice of the house, which relies on the precedents established by rulings made by Speakers

down through the years. Those of us who take an interest in such matters will have a booklet entitled *Rulings from the Chair* which gives a brief summary of and the reasons for various rulings over the decades. Those rulings have influenced the operation of the standing orders over time and in some cases have changed or replaced them. One that the honourable member for Forest Hill refers to from time to time is standing order 121, which allows any honourable member to ask any other honourable member an oral question. Despite that standing order, the practice of the house has changed the rule so that now only ministers may be asked oral questions. Despite what is in the standing orders, rulings from the Chair and the practice of the house have altered the proceedings over the decades.

The third layer over the top of the operations of the house have been the sessional orders the house has debated and adopted from time to time. They vary from Parliament to Parliament and cover such things as the rules for broadcasting and televising of proceedings, the timetable for the week's events and the rules of precedence in deciding which item of business takes priority in the house's agenda for the week.

While the sessional orders are not all that well understood by many honourable members, they have more to do with the operation of the house during the session than the other two layers. They control the day-to-day business of the house and set the order for business. They also prescribe who is entitled to put business before the house, in what order the house will consider that business and what rights individual honourable members have — whether they be government, opposition or Independent members — to contribute to debate.

It is therefore important that all honourable members have the opportunity to contribute to this debate and to receive a clear and succinct explanation from the Minister for Transport of how the rules will operate, because they were items contained in the Independents charter, which during his speech — and I listened carefully — he glossed over. When the house considers each of the clauses of the sessional orders I hope the minister will give a clear and concise outline of how each will operate and what the government's processes will be in determining the priorities.

Because, by his own admission, the government retains control of general business and issues such as matters of public importance, it is not accountable to the house for that control.

My contribution will be followed by those of a number of honourable members on this side of the house and, I hope, the Independent members. I hope they get up on their back legs and make a contribution to the debate to explain individually why they will vote on each sessional order. I look forward to their explanation of the way they vote. It will be interesting to see them explaining their support for or opposition to, or their wish to amend, each individual sessional order.

Members of the Labor Party, and some key members in particular, have said certain things over and over again — over past years, in their election policy documents and in the promises made to the Independents in response to their charter. I will contrast those statements with what is actually contained in the proposed sessional orders introduced by the Leader of the House. I will also contrast earlier statements with the proposals the opposition seeks to introduce, which, through the notice of motion procedure, were placed on the notice paper last evening for all honourable members to see. I will then make comparisons between proposed orders and amendments I will move later in the debate on behalf of the opposition.

The opposition wants to offer all honourable members, particularly Independent members, a choice. Do they want what they asked for? Do they want what they were promised by the minority Labor government? Or are they prepared to settle for less? If they are prepared to settle for less, why are they?

**Ms Davies** interjected.

**Mr McARTHUR** — I would love to sell you land, if you think you have got more out of this deal!

**The DEPUTY SPEAKER** — Order! The honourable member should address his comments to the Chair.

**Mr McARTHUR** — I would love to sell the honourable member for Gippsland West some land, because if she believes the Minister for Transport has given her more than she asked for she is clearly not wary about what she buys. Caveat emptor really does apply in this case!

Another issue I will canvass is the way the proposed rules will affect members of staff of the Parliament, particularly members of the Department of Parliamentary Debates — or Hansard, as it is known. The Leader of the House did not mention that matter in his speech. What he is proposing will add a significant additional burden to the workload of some members of staff of this place, and he has not explained at all how

that extra work will be supported, paid for and catered for.

Over the years members of the Labor Party have continually called for certain changes to the sessional orders and always said they would introduce them when in government — and lo and behold they are in government! On 18 February 1998, when sessional orders were last debated, the honourable member for Thomastown, as he was then known, said about matters of public importance — I am quoting from *Hansard* online so I cannot give a page reference:

That is the reason the opposition's amendments place great emphasis on the ability of individual members to raise matters of public importance on a regular basis. Members of Parliament in Victoria do not have that ability. In New South Wales it can be done after each and every question time. Important political issues can be raised and debated, and that is what ought to happen.

He was calling then for the introduction of debate on matters of public importance after question time each and every day the house sat.

And what did he say about petitions? He said in the same speech:

The use of petitions is viewed as an important right. Many people spend long hours and go to a lot of trouble organising petitions, having them signed and collated and presented to Parliament in the correct, somewhat cumbersome and out-of-date format in which they must be presented. Under the opposition's proposal 1 hour each week would be set aside for the consideration of petitions and 20 minutes would be reserved for the presentation of petitions to Parliament by members of the public. Petitioners would be allowed a maximum speaking time of 5 minutes, and the remaining 40 minutes would be available for debate on the petition.

He was clearly calling for a range of procedures to be introduced.

What did the former leader of the Labor Party, now the Minister for State and Regional Development, say in a paper to the Fabian Society, ISBN 09953317 — —

**An honourable member** interjected.

**Mr McARTHUR** — If you call this a book you must be sorely disappointed sometimes.

**The DEPUTY SPEAKER** — Order! The honourable member for Monbulk will continue his contribution without interaction with other members.

**Mr McARTHUR** — He said:

We need to improve question time as a matter of urgency. This can be done quite easily by changing the standing orders to:

allow questions without notice for a minimum of 45 minutes each sitting day to allow at least 10 questions, not including supplementary questions;

allow supplementary questions;

give the Speaker the authority to extend question time if not enough questions have been asked; and

make ministers answer questions directly, factually and succinctly.

Yesterday he gave an example of how that should not be done. He also said about petitions:

Under this proposal, in each week of sitting 1 hour would be reserved for the consideration of petitions. Twenty minutes of this hour would be reserved for four speakers to address the Parliament for a maximum of 5 minutes each on the subject of their petition. The remaining 40 minutes will be set aside for members to debate the matters raised in the petitions.

When the Minister for State and Regional Development was the Leader of the Opposition he was in complete agreement with the honourable member for Thomastown, who was then the manager of opposition business. They both wanted petitions to be freely debated in the house. The Premier says this is the new, open, honest and accountable government, but what commitments and promises has he made to the Parliament, Victorians and the Independents, and how have they been honoured?

I visited the Labor Party web site at about 3.00 a.m. I found a policy headed 'Restoring your rights: Labor's democratic guarantee for every Victorian', which has an introduction by the Premier with his electronic signature and a commitment that a Labor government will:

Restore the integrity and effectiveness of Parliament through its 13-point plan 'Making Parliament Work'.

The site also states that the reforms will include an increased number of sitting days, but there is no guarantee of that under the proposed sessional orders.

**Mr Bracks** interjected.

**Mr McARTHUR** — We trust you because we heard you say yesterday that each and every one of the commitments given to the Independents would be implemented.

The web site states that the reforms will include a longer and more effective question time.

In fact, question time will be shorter. Under the proposed sessional orders question time will be reduced from 45 minutes to 30 minutes on Tuesdays, and instead of 1 hour 45 minutes being allocated for

question time in a normal three-day week the time will be reduced to 1 hour 30 minutes.

The site also states that the reforms will include more time for private members' bills and other debates. In fact, less time will be allocated for those purposes because under the proposed sessional orders the time allocated on Wednesdays is reduced from 3 hours to 2.5 hours.

Another promised reform is reasonable, family-friendly hours of sitting. But sitting hours will be longer. Parliament will now start at 9.30 a.m., it will sit through lunch, and it will not finish until approximately 11.00 p.m. Parliament has previously started at 10.00 a.m., except on Tuesdays; the sitting was suspended for lunch and dinner to allow Hansard and other staff to have a break; and Parliament finished at around 11.00 p.m. Those benefits have gone out the window.

The site also has a commitment to provide for better standards of behaviour and refers to a sin-bin for disruptive MPs. A sin-bin is proposed, but we will see whether it will promote better standards of behaviour.

As I said, the policy on the web site refers to a 13-point plan entitled 'Making Parliament Work', which was contained in a document released in May 1997 that was printed and authorised by J. Lenders of 23 Drummond Street, Carlton, and entitled *Making Parliament Work: Labor's plan for a harder working and more democratic Parliament*.

The policy states that citizens should have the right to address Parliament on petitions. Is that in the proposed sessional orders? No. It also states that sessional orders will fix the sitting dates for the same weeks in each year. Is that in the proposed sessional orders? No. The policy talks about a guarantee that 1 hour will be allocated each sitting day in the Legislative Assembly to debate matters of public importance. That guarantee is not included in the proposed sessional orders. I ask honourable members to check that carefully.

The time allowed for debate on private members' bills is not specified in the proposed sessional orders. Under the proposed sessional orders some 15 minutes will be allowed each day for members' statements, so that will receive one tick against what is outlined in the policy. Under the proposed sessional orders the grievance debate will take place every third sitting week, but the government has reduced the time available for the grievance debate by half an hour — from 3 hours to 2.5 hours. So, although a grievance debate will be

scheduled for every three weeks, the time available to members to raise grievances is reduced.

Throughout the last Parliament and the 52nd Parliament, which extended from 1992 to 1996, the Labor Party consistently campaigned for changes to the sessional orders and the operation of Parliament. Generally it asked for the same things: guaranteed time to debate matters of public importance every day; rights for citizens to present and speak on petitions; and the opportunity for Parliament to debate those petitions.

They have asked that the right for members to bring in private members' bills be guaranteed and have called for more time to be made available for grievance debates.

It is interesting to see the difference between what the Labor Party argued for passionately in the general community and endlessly in this house compared with what it has brought into the house today. I foreshadow that during the course of this debate I will move a number of amendments to the proposed sessional orders, and they are available to honourable members. If they are implemented the amendments will bring these sessional orders much more into line with the changes the Labor Party campaigned for in the house.

I will now foreshadow the opposition's position on the government's proposed sessional orders. It will not oppose proposed sessional orders nos 1 and 2, but it will seek to amend sessional order 3 dealing with questions. I will go into more detail later. The opposition will seek to amend proposed sessional order 4 which deals with grievance debates. It will seek to amend proposed sessional order 5 which provides for the automatic adjournment of the house, and it will oppose sessional order 6 on the basis that the Labor Party consistently and loudly opposed the use of the guillotine over the past seven years. The opposition obviously agrees with proposed sessional order 7, which allows for a citizen's right of reply, on the basis that those rules applied during the last parliamentary session.

The opposition will not oppose the introduction of 90-second statements under proposed sessional order 8. It will seek to amend proposed sessional order 9, which deals with matters of public importance, and will not oppose proposed sessional order 10, which introduces the sin-bin. It will support proposed sessional order 11 which institutes a 20-minute time limit on speeches in general debate rather than 30 minutes, but will oppose proposed sessional order 12 which introduces a new procedure for condolences, and I will deal with that in more detail later.

The opposition will definitely oppose proposed sessional order 14 which allows the government to gazump any member who has a matter listed for debate on Wednesday mornings as a matter of public importance. It will certainly oppose proposed sessional order 15 which provides that there should be no divisions when the house sits through lunch, and I will outline the reasons for that later.

The proposed amendments will bring the sessional orders much more into line with those for which the Labor Party has campaigned for so many years and much more into line with the matters which the Premier states he is keen to ensure — that is, open, honest and accountable government. They will also be much more in line with the promises he made to the three Independent members in response to their charter. Only yesterday, the Premier reaffirmed in the house that he was committed to all the charter items. It will be

interesting to see whether he will agree with the proposed amendments to the sessional orders and comply with the promises he has made inside and outside the house, because he is in a dilemma.

When considering the proposed amendments it is important that honourable members refer to the standing orders proposed by the opposition in item 1, notices of motion, general business. I contrast the government's proposed sessional orders with some of the opposition's proposals.

I seek leave of the house to incorporate a table in *Hansard*. I advise the house that earlier I consulted the Editor of Hansard and the Speaker and the table is suitable for incorporation.

*Leave granted; table as follows:*

| Item                                       | Previous Parliament  | Labor government proposal  | Opposition proposal  |
|--|--|--|--|
| Time allowed for non-govt business         | Until 2.00 p.m. Wednesday (equalled 3 hrs less formal business)                                  | 2½ hrs Wednesday mornings  | Until 2.00 p.m. Wednesdays (equals 4½ hrs less formal business), subject to 4 hrs minimum. (As well, 1 hr MPI debate all days except Wednesdays.)                                      |
| Business allowed in non-govt business time | General business on the notice paper   | Matters of public importance — selection alternating between govt and non-govt, but govt can block public importance matter on any day and call on other general business for 2½ hrs | 2 hrs x 2 items on notice paper nominated by Liberals, Nationals & Independents pro-rata, then private members' bills 1st readings & 2nd reading speeches, then petition consideration |
| Private members' bills                     | No practicable opportunity   | No practicable opportunity   | Can be debated Wednesday mornings  |
| Grievances                                 | Until 2.00 p.m. on Wednesdays appointed by resolution of house                                   | 2½ hrs every third sitting Wednesday morning   | 4 hrs every third sitting Wednesday morning  |
| Matters of public importance               | Definite matter of urgent public importance could be moved every Wednesday. 2 hr limit on debate | 2½ hrs every Wednesday unless dispensed with by government. Nomination rights alternate between govt and non-govt  | 1 hr after question time every day other than Wednesdays. Nomination rights pro-rata to numbers excluding ministers & Speaker.   |
| Petitions                                  | Could move that be taken into consideration, but no practicable opportunity to debate            | Member can read instead of clerk — then cannot move that be taken into consideration   | Can be taken into consideration on Wednesday mornings for up to 30 minutes   |
| Questions without notice                   | 45 minutes each Tuesday, 30 minutes other days   | 30 minutes or 10 questions each day  | Tuesdays — 45 min. or 15 questions. Other days — 30 min. or 10 questions   |
| Form of questions and answers              | Answers must be relevant and may not debate the question   | Questions must be direct, succinct and seeking factual information. Answers must be direct, factual and succinct   | Answers must be direct, factual and succinct   |

**BUSINESS OF THE HOUSE**

| <b>Item</b>  | <b>Previous Parliament</b>   | <b>Labor government proposal</b>   | <b>Opposition proposal</b>   |
|--|--|--|--|
| Starting time  | 2.00 p.m. Tuesday, 10.00 a.m. Wed & Thurs  | 2.00 p.m. Tues, 9.30 a.m. Wed & Thurs  | 2.00 p.m. Tues, 9.30 a.m. Wed & Thurs  |
| Adjournment time   | 10.00 p.m. automatic every day   | 10.00 p.m. automatic every day   | 10.00 p.m. automatic, save 4.30 p.m. automatic last sitting day of week                            |
| Right of house to continue sitting beyond adjournment time   | Only if a minister so moves  | Only if a minister so moves  | House can resolve to continue  |
| Right of house to stop sitting at adjournment time   | Not clear  | Not clear  | House can resolve to go onto adjournment debate  |
| Adjournment debate time for raising matters  | 30 minutes, contributions<br>3 minutes   | 30 minutes, contributions<br>3 minutes   | 1 hr, contributions 3 minutes. Stop clock on disruptions.  |
| Government business programming  | Any time limit can be set for any bill   | Any time limit can be set for any bill   | No programming proposed  |
| Right of reply for public  | If recommended by Privileges Committee   | As last Parliament   | As last Parliament   |
| 90-second statements   | No provision   | 15 minutes each day after formal business  | No proposal  |
| Sin-bin  | No provision   | 1½ hr suspension   | No proposal  |
| Time limit on speeches other than MPI  | Lead speakers unlimited. Others 30 minutes, save grievances 15 minutes   | Lead speakers unlimited. Others 20 minutes, save grievances 15 minutes                             | Lead speakers unlimited. Others 20 minutes   |
| Time limit on matter of public importance speeches   | Mover 30 minutes. Others 15 minutes  | First govt & non-govt speakers 15 minutes. Others 10 minutes.                                      | First govt & non-govt speakers 15 minutes. Others 10 minutes.                                      |
| Condolences  | For all former and current Members   | Tuesdays only for limited group of members   | No change proposed   |
| Lunch breaks   | 1.00 p.m. to 2.00 p.m.   | No divisions if no lunch break   | Assumed no lunch breaks  |
| Dinner breaks  | 6.30 p.m. to 8.00 p.m.   | Assumed  | Assumed  |
| Answers to questions on notice   | No provision   | No proposal  | If not answered within 30 days, explanation can be required on Tuesday afternoons (max 15 mins).   |
| Disallowance of statutory rules  | No provision   | No proposal  | Up to 2 hrs Thursday mornings  |
| Total sitting time in normal sitting week (assume adj. debate 1 hr total per day and adj. starts 4.30 p.m. Thursday) | Tues — 4½ hrs + 3 hrs = 7½ hrs<br>Wed — 3 hrs + 4½ hrs + 3 hrs = 10½ hrs<br>Thurs — 3 hrs + 3½ hrs = 6½ hrs<br>Total = 24½ hrs | Tues — 4½ hrs + 3 hrs = 7½ hrs<br>Wed — 9 hrs + 3 hrs = 12 hrs<br>Thurs — 8 hrs<br>Total = 29½ hrs | Tues — 4½ hrs + 3 hrs = 7½ hrs<br>Wed — 9 hrs + 3 hrs = 12 hrs<br>Thurs — 8 hrs<br>Total = 29½ hrs |

| Item  | Previous Parliament   | Labor government proposal  | Opposition proposal   |
|---|---|--|---|
| Time available for govt business in normal sitting week       | Tues — 3¾ hrs + 2 hrs = 5¾ hrs<br>Wed — 4 hrs + 2 hrs = 6 hrs<br>Thurs — 3 hrs + 2 hrs = 5 hrs<br>Total = 16¾ hrs   | Tues — 3¾ hrs + 2 hrs = 5¾ hrs<br>Wed — 1¾ hrs + 4 hrs + 2 hrs = 7¾ hrs<br>Thurs — 4¼ hrs + 2 hrs = 6¼ hrs<br>Total = 19¾ hrs  | Tues — 2¾ hrs + 2 hrs = 4¾ hrs<br>Wed — 4 hrs + 2 hrs = 6 hrs<br>Thurs — 4½ hrs + 1 hr = 5½ hrs<br>Total = 16¼ hrs<br><br>(assuming no QON motions or statutory rule disallowances)   |
| Time available for non-govt business in a normal sitting week | Tues — 45 min + 30 min = 1¼ hrs<br>Wed — 3 hrs + 30 min + 30 min = 4 hrs<br>Thurs — 30 min + 30 min = 1 hr<br>Total = 6¼ hrs<br><br>Note all this time rotates evenly between govt and non-govt members | Tues — 30 min + 15 min + 30 min = 1¼ hrs<br>Wed — 15 min + 2½ hrs + 30 min + 30 min = 3¾ hrs<br>Thurs — 15 min + 30 min + 30 min = 1¼ hrs<br>Total = 6¼ hrs<br><br>Note all this time rotates evenly between govt and non-govt members, but the govt may block non-govt members MPI on Weds (2½ hrs) | Tues — 45 min + 1 hr + 1 hr = 2¾ hrs<br>Wed — 4½ hrs + 30min + 1 hr = 6 hrs<br>Thurs — 1 hr + 30 min + 1 hr = 2½ hrs<br>Total = 11¼ hrs<br><br>Note 4 hrs on Weds avail only to non-govt members, MPI rotates between groups (excl. ministers and Spkr.) pro rata, questions and adjournment rotate evenly between govt. and non-govt. members. |

**Mr McARTHUR** — I refer honourable members to the table, which outlines the difference between what happened in the previous Parliament, what the government is proposing in the sessional orders now being debated, and what would occur if the proposed sessional orders standing in my name were to be implemented.

Under the previous government the time allowed for non-government business was on Wednesdays from start of the sitting of the house at 10.00 a.m. until 2.00 p.m. By practice rather than under sessional orders the house rose for lunch at 1.00 p.m., so in effect 3 hours were available for government business. Under the government's proposed sessional orders, that will be reduced to 2½ hours on a Wednesday morning, with direct conditions applying to those 2½ hours. Under my proposal, 4½ hours would be provided on Wednesday, on the basis that the house sits through lunchtime, with a 4-hour minimum, leaving more than half an hour for the house to consider first and second readings of private members' bills and those matters not provided for specifically in the proposed sessional orders.

Under the previous sessional orders, the matters allowed to be debated during non-government business time were the items of general business on the notice paper. Under the current proposal, non-government

business time will be taken up with matters of public importance, with the call being given alternately to government and non-government members. Again I remind honourable members of the proviso that the government can on its own motion block debate on any matter of public importance without notice and without seeking the approval of the house, and therefore that matter can become an item of general business on the notice paper.

Given that the call will alternate between government and non-government sides of the house, I also point out that government backbenchers will have almost twice the opportunity of raising matters of public importance, compared with the opportunity available to the Independent members or members of the opposition. That is because the government has 42 members, including 14 ministers and yourself, Mr Speaker. Subtracting 15 from 42 results in 27, which means that every second week a government backbencher will have 1 chance in 27 of raising a matter of public importance. The opposition side of the house has 46 members, so every second week each opposition member and each Independent member will have 1 chance in 46 of getting the call.

The Independent members believe the proposal will give them a greater opportunity of raising matters of

public importance. Based on a rough but generous calculation that the house sits for 20 weeks a year over the next four years, in 80 sitting weeks members on the non-government side will get the call on 40 occasions on Wednesdays if — and this is a big if — the debate is not gazumped by the government's proposed sessional order 14.

As I said, there are 46 non-government members. During the next four years each member cannot be guaranteed the opportunity of raising a matter of public importance. Unless the three Independent members are blessed by the call of the Chair very early on, they will never get a chance to raise a matter of public importance. If they are so blessed and are given the call they had better make the most of their contributions, because they will not get a second chance in the life of this Parliament. In setting out their charter the Independent members are telling me, the public and both the major parties that they are looking for more opportunities to raise matters of public importance. In effect, under the standing orders proposed by the Minister for Transport if the Independents are lucky they will have one chance in four years to raise a matter of public importance. However, under sessional order 14 the government has reserved the right of veto and can replace that opportunity with general business.

The Leader of the House said this was a better opportunity for honourable members than the urgency debate provided for under standing order 26. He said it was hard for honourable members to get through the gate and meet the criteria for a matter to be considered under that standing order. There are no guidelines in the sessional orders on the criteria the Chair will apply in ruling on a matter of public importance. Whether a matter is deemed to be a matter of public importance is at the discretion of the Chair.

It is important for honourable members to know what criteria the Chair intends to apply. The Leader of the House said he intends to be generous. That is lovely of him, but it is not up to him; it is up to the Chair. You, Sir, as the Speaker will decide the criteria for a matter of public importance to be considered acceptable.

Even if you, Mr Speaker, deem a matter to be important and within the criteria that you apply for listing on the notice paper on Wednesday morning — I point out that you must receive notice by 4 o'clock on the Tuesday afternoon and make your decision by 5 o'clock — and say, 'Yes, this issue meets the criteria for debate as a matter of public importance', government members can walk in here on Wednesday morning at 9.30 a.m. and say, 'Sorry, we want to replace that with a general business item. You cannot do it'. There would be no

debate and the house would not have an opportunity to decide the issue. Under sessional order 14 it will be entirely at the whim and discretion of the government.

I seek an explanation from the Leader of the House of how that situation is different from the situation that applied during the 53rd Parliament, when items of general business could be elevated in order at the discretion of the government. There is no practical difference. In both cases whether a matter gets up for debate as a matter of public importance is at the whim of the government, and the motion is subject to veto by the government. The honourable member for Thomastown, who is currently the Minister for Transport, gained a reputation and notoriety for perverting democracy, breaching rules and regulations, and flouting the law. Numerous opinions from senior counsel state that the minister deliberately and directly breached the Constitution Act. There are many examples of the Minister for Transport flouting the democratic process, which he sought to pervert during the course of an election.

What greater breach of democratic process can there be than a man deliberately trying to pervert an honest, open election, where every person in the electorate or province has an equal right to have his or her say? The Leader of the House sought to deliberately pervert that process, yet he comes into the house and tells us, and expects us to take it at face value, that he is improving the democratic process, that he believes in democracy and supports other people's opportunities to raise issues and that he will be generous in exercising his discretion and his right of veto.

Honourable members should take those assertions with a very large grain of salt because the man's record does not bear out his claims. His record is in the public arena for all to see, and those who trust his words do so at their peril.

The proposals I have put before the house on behalf of the opposition dealing with what I shall refer to as the non-government business program require that each Wednesday 2 hours be allocated to each of two items on the notice paper, which would be nominated by the non-government side of the house. The call is to be determined by the Chair pro rata according to the membership of the non-government side of the house. That would provide a true chance for non-government business to be dealt with.

After the two sessions of 2 hours have expired — 4 hours in total — half an hour would be left for debating the first and second reading of private members' bills and petitions. That may not occur every

Wednesday, but under the sessional orders proposed by the opposition half an hour will be available for honourable members to do that if they wish.

I turn to private members' bills. Under the sessional orders that operated during the 53rd Parliament there was no practicable opportunity to debate a private member's bill unless the government of the day chose to allow it and gave the bill priority in the order of general business. Under the sessional orders proposed by the Leader of the House the situation is exactly the same. There is no practicable opportunity to debate a private member's bill unless the government of the day decides the honourable member in whose name the bill is listed under general business on the notice paper can be given a higher listing and bring it on for debate on a Wednesday morning. If that happens the person who had the call on the matter of public importance loses his or her turn. That person will lose the opportunity to debate the matter of public importance that on the previous day had been approved by you, Mr Speaker, for debate that Wednesday.

What is the difference between an opportunity to debate a private member's bill in the previous situation, which depended entirely on the goodwill of the government of the day to elevate the matter in the general business list, and the opportunity the Leader of the House seeks to introduce, which will depend entirely on the goodwill of the government to elevate the matter in the general business list and use its pre-emptive right to gazump whatever matter of public importance is listed for that day? Where is the difference between those opportunities? Why is one being trumpeted by the Leader of the House as a great step forward in the democratic process and the other derided as a denial of members' rights when in effect they are the same?

Under the opposition's proposals the first and second-reading stages of a private member's bill could be debated on Wednesday mornings and during the 2-hour sessions of general debate set aside for non-government business.

I turn to the matter of grievances. The previous sessional orders provided that grievances could be noted until 2.00 p.m. on Wednesdays appointed by resolution of the house. The Leader of the House stated on numerous occasions that that situation was unsatisfactory. That arrangement provided for 3 hours of debate on grievances on the appointed days. The Leader of the House seeks to replace that arrangement with 2½ hours of debate every third sitting Wednesday morning, which is a reduction in the time available on those Wednesdays.

In his response to the Independents charter the Premier promised that he would provide three grievance debates during each sessional period. He has failed to keep that promise because if the government's sessional orders are adopted in this sessional period there will be only two grievance debates, and the total time available will be only 5 hours, whereas under the previous sessional orders 6 hours would have been available. Under the proposals listed under my name grievances will be debated for 4 hours every third sitting Wednesday morning, which is what the Labor Party was calling for prior to its transition from this side of the house to that side of the house. I have already dealt with the matters of public importance.

I turn now to petitions. The Leader of the House derided the current practice of introducing petitions. Formerly, the Clerk would read a petition and the honourable member presenting it could move that it be taken into consideration. The opportunity to debate it would again depend on the government elevating the issue on the general business paper.

Rather than the Clerk reading the title and the number of signatures a petition contains, the proposed sessional orders state that the honourable member presenting the petition may do so during the course of the 90-second statements. However, the member cannot then move that the matter be taken into consideration. He or she will have no opportunity to debate the issue unless it is brought on as a matter of public importance or as an item on the general business paper. That is exactly the same opportunity that existed in the previous Parliament. The opposition proposes that petitions be considered on Wednesday mornings in the 30 minutes that are available at the end of non-government business.

The previous sessional orders provided for question times of 45 minutes on Tuesdays and 30 minutes on other days. The former opposition campaigned loudly for an increase in those times. However, now that it is in government it proposes that question time be reduced to only 30 minutes each day, a reduction of 15 minutes, and that 15 questions be asked during each question time.

The proposed sessional orders in my name provide for question times of 45 minutes on Tuesdays with a minimum of 10 questions, whichever is the longer, and 30 minutes or 10 questions on other days.

I refer to subclause (4) of proposed sessional order 3, which states:

All questions shall be direct, succinct and seeking factual information.

Mr Speaker, I hope you will give early advice to honourable members about how you will apply that direction. It may well be that the Chair could find that a question seeking advice on a policy, program or aim was not seeking factual information. Rather than just asking for facts, all honourable members should legitimately be entitled to ask government ministers about their aims and strategies and the objectives and expectations of their programs. It is important that all honourable members know the aims and policy objectives of government ministers.

If honourable members are confined to asking only for facts, how can they judge the performance of a minister or the government compared with their stated objectives? I believe that issue needs early clarification by the Chair. The opposition will seek to amend proposed subclause (4). All honourable members should be entitled to ask those questions, and they should be entitled to receive answers from ministers of the Crown.

Under the previous sessional orders the house sat from 2.00 p.m. on Tuesdays and 10.00 a.m. on Wednesdays and Thursdays. The proposal is that the starting times be 2.00 p.m. on Tuesdays and 9.30 a.m. on Wednesdays and Thursdays. The opposition supports that change.

The former opposition often complained about the previous sessional orders that stipulated that the house should adjourn at 10.00 p.m. each sitting day. Now that it has formed government it seems Labor is keen to have an automatic adjournment at 10.00 p.m. despite previously openly stating it would introduce family-friendly hours. All honourable members will remember the honourable member for Altona stridently campaigning for family-friendly hours. She wanted the house to adjourn at 7.30 p.m. to enable honourable members with young children who were fortunate enough to live in inner city suburbs to get home to spend some time with their families.

It seems the Minister for Transport has discovered that family-friendly hours mean something different to country members and that those of us who do not live in the inner city suburbs would appreciate being able to get home on Thursdays before midnight. For country members who may have 500 or 600 kilometres to drive or may have to meet flight schedules the additional couple of sitting hours after dinner while they are in Melbourne anyway is not a heavy imposition if it means being able to spend more time with their families when the house is not sitting.

The opposition is happy with the proposed 10.00 p.m. adjournment time on Tuesdays and Wednesdays but is interested to know how the government will operate its program on Thursdays because that is not specified in the proposed sessional orders. In the past the right of the house to continue sitting beyond the time set by the sessional orders was available only if the minister moved it. That continues to be the case under the proposed orders. The opposition proposes that the house should have the opportunity to resolve of its own accord to continue to sit if it so wishes. The decision on whether to continue with the business program, whether it be government or general business, should be in the hands of the house rather than at the behest of the minister.

Under the previous sessional orders the rules for the adjournment debate allowed 30 minutes at the end of each day — an average of 10 contributions each of 3 minutes. That remains the same in the proposed orders. In line with the call from the Independents to have more opportunities to raise issues they believe are important, the opposition proposes that the adjournment debate be extended to an hour so 20 members can raise matters for 3 minutes and expect responses from ministers. That would double the opportunities for Independents to raise matters on the adjournment, opportunities they say have been limited in the past.

The clause regarding the government business program is interesting. During the last Parliament the then opposition complained loud and hard about the setting of the government business program each week. Its members often debated at length the inadequacy of time for debate of items listed in the business program and they spent endless amounts of time on that matter rather than debating the bills. Once the government business program was set the former opposition had complete control over the time available for debate on each item on the notice paper because it had the opportunity to put up 1, 2, or 3 speakers, or even 15, 20 or 25 speakers on the bill if it so chose.

The former government used to limit the number of coalition speakers it allowed on most bills in order to allow a chance for all bills to be debated. However, the former opposition would often have dozens of members saying exactly the same thing for 30 minutes each in order to ensure the house never dealt with some of the other bills.

When in opposition, members of the Labor Party complained that debates were guillotined. Surprisingly, the Labor Party is proposing a program that allows it to specify the time by which debate on items must be completed and use the guillotine regularly during the

week. I imagine the guillotine will be used if the proposed sessional orders are adopted in line with the Labor Party's previous calls suggesting that no program be proposed.

The right of reply for members of the public if they believe they have been defamed or unfairly treated by members in their contributions to the house was available under previous sessional orders. Given that it was introduced during the last Parliament by the former government the opposition is happy to give members of the public that right of reply.

The previous Parliament did not provide for 90-second statements, and the government's proposed sessional orders allow 15 minutes each day for that purpose. The opposition will not oppose it.

There is some flexibility in assessing how many hours the house sits each week because one is never sure for how long an adjournment debate will continue. Under the past program an adjournment debate would take approximately an hour and the house was normally up by 11.00 p.m. A total of 24 hours a week was available for debate in the last Parliament. Of those 24 hours, 16¾ hours were available for the government and about 6¼ hours were available for non-government members of the house. That does not add up exactly because the time ministers used to respond to adjournment matters was not allocated to either side of the house.

In effect the government had between 16 and 17 hours for debate in any week, while non-government members had just over 6 hours available to them.

Under the proposal introduced by the Minister for Transport a total of 29 hours would be available for debate in the weekly session, achieved by commencing earlier and sitting through lunch on Wednesdays and Thursdays. An additional 5 hours approximately are available in a normal sitting week if the house gets up at 4.30 p.m. on Thursdays. If the intention is to advance the cause of democratic process and improve the opportunity for non-government members to contribute to the debate, some of the additional 5 hours should be available to the non-government side of the house. However, the total time available under the proposed sessional orders is 6¼ hours — identical to the time available under the previous Parliament. The 5 hours of debate is available only to the government side of the house. Far from providing more opportunities for non-government members to raise issues, the government has provided an additional 5 hours approximately for government business and no additional time for non-government business.

The opposition proposal supports the 9.30 a.m. start and is agreeable to sitting through lunch if the house decides to do so, increasing the number of sitting hours to 29. The time available to non-government members is 11¼ hours of the total 29 hours — a substantial increase in the time for non-government members to raise issues of importance to their electorates, constituents and the general public. The opposition proposal also provides for about the same amount of time for government business which was adequate in the last Parliament; the government was able to get its business program through without undue delay and met the requirements for legislation.

Further, the opposition proposal is more than adequate because the government has no business program. On the government notice paper six items were listed last evening and not one of them is legislation. All the items are general business motions dressed up as government business. The government has no need to debate government business if there is no legislation before the house.

When notices of motion were called this morning neither the Premier, the Deputy Premier, the Minister for Transport, the Minister for Police and Emergency Services nor one minister introduced legislation to the house, yet the government has been loudly proclaiming the business program to the public. The Premier has been speaking on the radio and quoted in the newspapers as saying he has legislation ready and will bring it into the house for the spring session. Where is it? Honourable members are entitled to ask, 'Where is the government business program?'. Why does the government need an additional 5 hours a week to debate non-existent business? There is no need for this to be provided.

If additional hours are available the opposition will find plenty of non-government business to discuss, so additional time should be allocated to this side of the chamber.

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

**Mr McARTHUR** — If the proposed sessional orders are adopted today's luncheon break may be the last honourable members will experience for the next four years.

Earlier I referred to staffing arrangements. The proposed sessional orders will extend the number of hours available each week for the house to sit. They will provide for the house to sit through lunch without a break on Wednesdays and Thursdays, and if the house sits on Fridays, on Fridays as well. Those arrangements

will place a significant additional burden on a number of staff who service the house.

I refer in particular to the additional burden the proposals will place on Hansard staff. The Editor of Debates has sent a memorandum to the leaders of all parties outlining Hansard's tight staffing arrangements. The department has only sufficient staff to provide for the 10 minute rotation it requires. The occupational health and safety regulations require that staff have a break from their duties at least once every 5 hours and that they should not be required to work more than 5 hours at a stretch. On occasions when the house sits late into the night that rule is honoured more in the breach than in the observance, but during a normal sitting week when the house is suspended for lunch between 1.00 p.m. and 2.00 p.m. and for dinner between 6.30 p.m. and 8.00 p.m. there are no stretches longer than 5 hours when Hansard staff are required to be on duty. Given clever scheduling staff are generally able to take breaks from their duties, if sometimes only for short periods.

If the proposed sessional orders are adopted, on Wednesdays the house will sit uninterrupted from 9.30 a.m. to 6.30 p.m., a total of 9 hours. Hansard will have to appoint additional reporters and subeditors to comply with occupational health and safety requirements. There are problems in taking such action. I imagine the Editor would be willing to appoint additional staff, but the budget provided by the house earlier this year did not allow sufficient resources for Hansard to recruit additional reporters and subeditors in the marketplace. I am advised there is a severe shortage of people with the necessary qualifications required to take on the task. Hansard reporters are rare and generally stay in their jobs for many years. Honourable members have known some Hansard reporters for many years, and in some cases for decades. Even if the resources were provided, additional reporters and subeditors may not be available.

Even if the additional finances and staff were available the physical constraints of the building are such that there is no accommodation available in which to set up additional work spaces. If the proposed sessional orders required by the government are adopted Hansard will face a number of problems in meeting occupational health and safety requirements. Given the minority Labor government's record on such issues the Leader of the House should take up the matter and have discussions with the Editor of Debates and other parliamentary staff. He should advise the house of the outcome of those discussions and of his commitment to provide additional resources for the purpose of engaging additional staff and providing additional

accommodation. He should also say what such arrangements will cost and when they will be put in place.

To fail to do so would mean that the house may, at the conclusion of the debate, resolve to load onto Hansard and other parliamentary staff what is an unfair burden. While honourable members are potentially making things more convenient for themselves, they are placing an unfair and unreasonable burden on those who are paid to provide the support services for Parliament. The house should carefully consider that before it comes to a decision on the motion.

Earlier I foreshadowed some opposition amendments to the proposed sessional orders, which have been circulated. I now advise the house that the opposition proposes three additional amendments to the sessional orders, which I ask to be circulated to honourable members. I will give a brief explanation of the effect the amendments would have on the proposed sessional orders.

As I said earlier, the opposition will not be opposing or seeking to amend sessional orders 1 and 2. However, it will propose that the house amend sessional order 3. That amendment allows additional time for question time — as promised by the minority Labor government, as promised by the Premier, who stands for honest, open and accountable government, as proposed for many years by a number of senior members of the minority Labor government, and as sought by the three Independent members when they put their Independents charter to the former coalition and to the Labor Party after the 18 September election.

The effect of the amendment would be to provide, on Tuesdays, for 45 minutes of question time or 15 questions, whichever is the longer, and for 30 minutes of question time or 10 questions, whichever is the longer, on Wednesdays and Thursdays — and Fridays if the house sat on that day. The other effect of the amendment would be to allow for the completion of non-government business on days when question time interrupted it.

Under the opposition's proposal, it is possible that the 4 hours of non-government business and the half an hour allowed for private members' bills would bump up against question time. If that were the case, the proposal is that those matters be completed immediately following question time on Wednesdays or immediately following debates on matters of public importance on other days.

The opposition is also proposing to amend proposed sessional order 4, which provides for grievance debates of 2½ hours. The opposition proposes to amend that sessional order to give the Independent members what they have requested — that is, more time for grievance debates rather than less time.

I will be interested to see whether the Independent members who have asked for more time for grievance debates support the amendment. The opposition is offering them exactly what they asked for in their charter, which was published for the information of all members of the Victorian community and which they put to both the former coalition government and the Labor Party after the 18 September election. I will be very interested to see how the honourable members for Gippsland West and Gippsland East vote on the proposed sessional order for grievance debates and how the honourable member for Mildura — if he comes into the house during the debate —

**The SPEAKER** — Order! The honourable member will address his remarks through the Chair.

**Mr McARTHUR** — Of course, Mr Speaker. When the question is put I will be interested to see whether the honourable member for Mildura votes for more time for grievance debates during the current Parliament or less time.

The minor amendment the opposition proposes to sessional order 5 will change the arrangements for the set finishing times of the house by providing for a 10.00 p.m. finish on Tuesday and Wednesday, and on Thursday if the house happens to sit on a Friday, but a 4.30 p.m. finish on a normal Thursday and a Friday.

The foreshadowed amendment would also give the house the opportunity to resolve of its own accord to continue sitting if it so wished. That is another important matter for the Independent members to consider. In the event of a major controversy — in the event that the government was in serious trouble in the house or in the wider community — the house would be able to resolve to continue to sit to discuss the relevant issues, such as the government's business program or general business. The decision on whether to continue sitting would be entirely in the hands of the members of the house.

If the three Independent members decided they did not want to continue and were happy with the way things were going, the house would adjourn at the time prescribed. However, if they were unhappy with the performance of the government and wished to continue sitting to raise issues of importance on behalf of their

electorates and the general community, they would have the opportunity to do so. The matter is entirely in their hands: they can take the opportunity and have that right for the next four years, or they can deny themselves the right.

The amendment would also increase from 30 minutes to 1 hour the time available to the house for adjournment debates and would allow the Chair to stop the clock in the event of an unreasonable interruption to a member's 3 minutes, regardless of whether he or she was a government or non-government member.

The opposition will oppose proposed sessional order 6. In line with the arguments the Labor Party has been putting for some time, and in line with its objections to an agreed government business program, the opposition is proposing that the house be able to resolve of its own accord to deal with the items of business on the notice paper rather than having an automatic guillotine at the end of each week. The conduct of business will be in the hands of the house rather than in the hands of the government.

The opposition is proposing an amendment to sessional order 9, which will provide that matters of public importance are debated for one hour each Tuesday and Thursday immediately after question time, and on Friday if the house sits on that day. However, those matters would not be debated on Wednesdays, given that under our model 4½ hours is already provided for non-government business.

That amendment also provides for different rules for the rotation of the call for raising matters of public importance. Under the model proposed by the Leader of the House, government backbenchers will have approximately twice the opportunity to raise matters of public importance compared with the opportunities available to the honourable members for Gippsland East or Mildura or Gippsland West and the members of the National and Liberal parties.

We propose that matters of public importance become non-government business and that the rotation be on the basis of the total number of members, less ministers and the Speaker, rather than going separately to each side of the house.

We will oppose sessional order 12, which deals with condolences. It is our view that the tradition that the house expresses condolences on the death of former or sitting members should continue. The reason for that was well demonstrated last night when a range of members on all sides of the house stood in their places to express their sorrow and to offer their condolences to

the surviving members of the three families of former members, one Independent and two Labor. Members on all sides of the house were keen to express their sorrow at those deaths. I think it is a reasonable tradition and one that has operated in this house for many decades. It does not severely detract from the business of the house and is a fitting tribute to people who have served this place loyally and well. The tradition should continue.

The opposition will propose that sessional order 14 be omitted and replaced with proposed sessional order AA circulated in my name. That amendment allows for 4 hours of debate on Wednesday mornings on items of non-government business during which two matters may be proposed by separate members, with each matter being debated for 2 hours. That would provide exactly what the Labor Party has advocated in the past and exactly what the Independents have requested in recent weeks and months. It offers a greater opportunity for non-government business to be debated openly, fully and fairly in this place.

I will be interested to see how the honourable member for Gippsland East and the honourable member for Gippsland West — if she comes back into the house and shows an interest in the debate — react to that proposal. It gives the honourable member for Gippsland West more opportunities to raise issues on behalf of her electorate. It also gives the honourable member for Mildura the opportunity to do the same on behalf of the people who live in north-west Victoria and do not often have the chance to come into Parliament to see what is happening.

Amendment BB standing in my name deals with questions on notice, although I expect it would not be needed very often because in this era of open, honest and accountable government when an honourable member puts a question on notice to, say, the Attorney-General, who has been diligent in seeking out information in the past — —

**A government member** interjected.

**Mr McARTHUR** — You invented it if we did not give it to you.

If a member on the non-government side of the house, or indeed a member on the government side, were to put a question on notice I am sure the Attorney-General would be diligent in providing his response. The amendment proposes that, in the event of a minister failing to answer within 30 days and in private discussion failing to provide an adequate explanation to the member who put the question on notice, the

minister should come into the house and provide an explanation of why the answer has not been forthcoming. It may well be that the minister will have a perfectly reasonable and sensible account of why the answer was not available within the 30 days. It may have been a very detailed and broad question that required a lot of research to provide the information. In that case the minister should simply come into the house and inform it that that is the case. That would be the end of the matter.

If, however, the minister were to come into the house and provide an inadequate explanation, the member who put the question on the notice paper would have the opportunity to move that the matter be taken into account on the following Wednesday.

Amendment CC makes provision for a debate on the proposed disallowance of statutory rules and regulations disallowed. In most legislation in this state there is a rule that either house of Parliament may disallow regulations made under the act. The opposition believes if this house has the opportunity to disallow regulations it should also have the opportunity to debate that disallowance. The amendment makes specific provision for that. For example, the honourable member for Gippsland East may take particular exception to a regulation dealing with abalone diving or fishing licences or something similar and may regard it as quite unreasonable. In that case he should be able to move for the disallowance of the regulation, and the house should be able to consider his motion. If the house agrees with the honourable member for Gippsland East, he will have his way — on the other hand, it may choose not to agree with him.

In this era of open, honest and accountable government, the era of the promises of the minority Labor government under Premier Bracks offering Independents greater opportunities to raise issues and have their cases heard, greater opportunities to debate private members' bills, opportunities to bring petitions into the house and debate them, opportunities to raise matters of public importance in general debate in the house — all as promised by the Premier and the Labor Party over a period of years — I think it is not unreasonable that my amendments should get fair and proper consideration from all members of the house. It is not unreasonable that the honourable member for Gippsland East, the honourable member for Mildura and the honourable member for Gippsland West be given the opportunity to state their views on which is preferable — the sessional orders as proposed by the Leader of the House or the amendments to those sessional orders to be proposed on behalf of the opposition.

If that happens I look forward to an interesting debate on the issue. I also look forward to some interesting votes. I hope all honourable members give close attention to all the sessional orders, consider each proposed amendment carefully and ask, 'Is this in the interests of my constituency? Will this improve my ability to represent my electorate?'. My view is that the amendments I propose on behalf of the opposition will improve the operation of the house for the three Independent members and other non-government members, and it will not detract from the operation of the government business program, because the amount of time allocated for it will be the same as it was during the last parliamentary session.

I believe the amendments deserve careful consideration by all honourable members, and I hope they are agreed to.

**Mr BRUMBY** (Minister for State and Regional Development) — I am delighted to support the motion for the adoption of the sessional orders before the house, which will be voted on today.

The sessional orders proposed by the government are the culmination of some months or even years of work by the Labor Party when in opposition in an effort to allow a more open, democratic and accountable Parliament. I have no doubt, having been a member of this house for the past six years and having also seen the sessional orders that were in place in the Legislative Council, that the proposed sessional orders will ensure that the house offers members more opportunities to raise matters. They will ensure that more questions are asked and that honourable members are given the opportunity to raise issues of concern in their electorates — for example, by way of a 90-second statement, which is unprecedented and unique to this Parliament.

Honourable members have listened to the contribution of the shadow minister for water. The opposition had no other portfolio remaining to give him, so it gave him responsibility for water! I doubt whether he would be elected to that portfolio following that speech — I suspect he would struggle and instead would have to become one of the four shadow ministers appointed by the Leader of the Opposition.

The comments made by the honourable member for Monbulk immediately after the lunch break were extraordinary. They were made as if the issue of the lunch break was a matter of great moment to the future of the Parliament. He said with great regret that that would be the last lunch break honourable members would enjoy in Parliament. It made me think about the

big issues the former government has stood up for over the years. Some of them I remember include one of the first decisions made by the Kennett government after the 1992 election — the reintroduction of silver service in the parliamentary dining room. During all the years of the Kennett government the members stood up on just two issues — paintball and parliamentary superannuation.

If we are to believe the shadow minister for water the issue of whether or not we stop for lunch is of supreme importance to the opposition. In many Australian parliaments, including the federal Parliament, the proposal to work through the normal lunchtime works perfectly well. It is a more efficient use of time. If this were any other workplace operating in the Victorian marketplace it would be subject to the normal tests of rigour and productivity — of doing things better and using time more efficiently — which is what the government wants to do in Parliament.

No divisions will be called during that time, and the proposed sessional orders will enable more honourable members to contribute to debates. Honourable members will be able to take a break to eat lunch if they choose. That hour will be used to get on with the job. The proposed sessional orders will mean that the routine business of the house proceeds in exactly the same way as it does in the federal Parliament without any difficulty or problem. It works well in other parliaments, but if in 18 months or 2 years the system is not working well, the government will look at it again.

I ask honourable members to look at what happens in other parliaments, because if they do they will accept that this proposal will mean a more efficient use of time. All honourable members have huge demands on their time, no matter whether they are in government or opposition.

**An opposition member** interjected.

**Mr BRUMBY** — Under the opposition's proposal divisions could be taken during that time, so members would not be able to go out for walks or get some exercise, and that is why it is a silly proposal. An ounce of commonsense is required. It is necessary to use time more efficiently and we can do that by working through the lunch break. If the amendments foreshadowed by the manager of opposition business are adopted divisions can be held during that time and members will not, for example, be able to accept overseas delegations or important meetings or go for walks. They will not be able to use their time effectively. That is why the government is proposing that the house should sit

through the lunch break but that there will be no divisions during that time.

It is true, as honourable members have noted in this debate, that the policies of the Labor Party in opposition, which were espoused in the booklet *Restoring Democracy*, supported the idea of daily debates on matters of public importance, but in negotiations — and negotiations always take place on these matters — that was not the view of the Independent members of Parliament who believed — —

**An honourable member** interjected.

**Mr BRUMBY** — That is a point that has been made by the Minister for Transport. In their view it would be a better use of Parliament's time to have such debates once a week on Wednesdays but considering a broader range of motions than has been the practice in the past.

I again put it to the opposition — and I listened to the speech made by the honourable member for Monbulk — that the starting point for this debate is to accept that what has occurred over the past six and a half years, and probably before that, on Wednesday mornings was totally unsatisfactory. As honourable members know, with all the rulings of the Speaker it became more and more difficult, if not impossible, to move a motion which met the standing orders and which could be debated.

**An honourable member** interjected.

**Mr BRUMBY** — I said before that. That is the starting point. The rules became so restricted that, as I used to often discuss with the clerks, if a Boeing 474 crashed into the middle of Melbourne the house would not be able to debate it on a Wednesday morning because any motion on the subject would not satisfy all of the tests of the Speaker's rulings. It has become too restrictive, and the clear commitment which has been given today by the government is that in the future the Speaker will have a great deal more flexibility and latitude to accept motions on matters of public importance. As the Minister for Transport said, if over time the proposed requirement becomes too restrictive the government will be perfectly happy to look at it again to ensure it works in the way intended, which is to enable the widest possible debate to occur.

The honourable member for Doncaster raised the matter of private members' bills, which was referred to in Labor's policy. During the time I have been a member of this house — and I suspect it has been the case for some time — not one private members' bill

was discussed in this chamber. Dozens were put up by the former opposition — —

**Dr Napthine** — None in the upper house.

**Mr BRUMBY** — We are not in the upper house; we are here in the people's house where governments are made and unmade; where, for the most part, laws originate in legislation. Not one private members' bill was ever debated during the time of the last two governments. Under the new plans private members' bills will be brought forward by agreement between the parties.

*Honourable members interjecting.*

**Mr BRUMBY** — You can whinge and whine and carp about that, but there has to be consistency in this business, and the starting point is that in the past six and a half years not one private members' bill was debated. The government has proposed that where there is agreement between the parties such bills will be able to be debated on Wednesday mornings. That is an improvement on the present situation.

Great note was taken of the statement in the *Restoring Democracy* booklet. I will go through the subheadings because it is important to put on the record that, except where there has been negotiation with Independent members of Parliament, in the main the thrust of the policy has been reflected in the government's sessional orders.

I turn to the issue of sitting days. Page 18 of the booklet refers to the number of sitting days in parliaments across Australia during 1997. The Parliament with the lowest number of sitting days was the Victorian Parliament, which sat for just 43 days. It was not an atypical year; it was a typical year.

The government has made clear public statements that the house will sit for a minimum of 50 days a year and that Victoria will not have the lowest number of sitting days, and the government will give effect to those statements. The house will sit more often and will be a more open house of debate. Commitment 1 has been met and achieved.

Page 20 refers to speaking times. The government's proposed sessional orders reduce speaking times from 30 minutes to 20 minutes. The Victorian situation is different from the situation in the federal Parliament, where there is often agreement for 10 or 15 minute speeches with a maximum of 20 minutes. It is rare for a member to need more than 20 minutes to get his or her point across in a debate. There is still unlimited

capacity for the lead speaker, and the government believes it is important to maintain that flexibility.

I turn to the crucial issue of questions without notice. The 1996 statistics from the papers office illustrate the quantum shift that will occur in the way the house operates as result of the proposed sessional orders. In the 1996 autumn session there were 112 questions without notice. In the 1996 spring session there were 169 questions without notice, so there were approximately 280 questions without notice during 1996.

**An honourable member** interjected.

**Mr BRUMBY** — I will go through the other years. Under the Labor government's policy the house will sit for a minimum of 50 days a year with a minimum of 10 questions each question time. Five times 10 equals 500, which is almost double.

**An honourable member** interjected.

**Mr BRUMBY** — We can debate the semantics, but let us understand the facts and have a fair debate. The government will guarantee a minimum 50 sitting days and a minimum of 500 questions without notice every year. That is the minimum, the rock bottom figure.

During the 1997 autumn session there were 188 questions without notice; in the spring session that year there were 175 questions, a total of approximately 360. Under the government's proposal there will be a minimum of 140 more questions than there were in 1997.

In the 1998 autumn session there were 214 questions without notice, and in the spring session there were 106 questions, a total of 320 for the year. Under the proposed sessional orders a minimum of 180 additional questions will be available to all members on both sides of the house.

Let us have a fair debate about it, because if there is fair debate it becomes clear that there will be a quantum shift, a significant improvement, and in some cases a doubling of the number of questions without notice available under the proposed sessional orders.

Page 21 of the booklet refers to 90-second statements. The proposed sessional orders provide members on both sides of the house with the opportunity to make short statements about issues in their electorates. It is a procedure that has been successful in the federal Parliament. When I was a member of the federal Parliament in the 1980s the process we have in Victoria was in place — notices of motion. Members

used to give notice of silly motions that they would try to twist, contort and turn around into short speeches that might get into the local papers. The government will replace that process with 90-second statements. An issue raised in an honourable member's electorate can be dealt with in a 90-second statement. It is surprising how much one can say in 90 seconds. For example, during the adjournment debate last night an issue concerning the Scoresby freeway was raised. If an honourable member wanted to talk about that issue he could do so.

**Mr Leigh** interjected.

**Mr BRUMBY** — It is not designed to get you an answer; it is designed to give honourable members an opportunity to have a say about issues affecting their electorates. I ask opposition members whether that is a better or worse proposition than trying to raise issues through the outmoded and antiquated system of giving notice of motions that, as honourable members know, are rarely debated. There were approximately 600 motions listed on the last green notice paper and they were never debated. It is a waste of time. The government's proposal is better because if an issue becomes important in an honourable member's electorate or a shadow minister wishes to raise an issue he or she will be able to raise the matter in a 90-second statement.

I turn to the issue of petitions. The government will refer the matter to a parliamentary committee to examine how best to widen the opportunities for dealing with petitions. It should be possible to have debates on petitions. Under the proposed sessional orders if, for example, the opposition wanted to debate a matter contained in a petition it could do so during the Wednesday morning debate. I think back to some years ago when the opposition had 50 000 signatures on a petition to save St Vincent's Hospital. Under the previous sessional orders there was no opportunity for the matter to be discussed. Under the proposed sessional orders the petition could be debated on a Wednesday morning. It is a modest improvement, and the government wants the parliamentary committee to look at the matter and see whether it can go further. The government would like to open up the Parliament, and I would like to see the day when there are more opportunities for debate.

The issue of technology was also raised, including televising Parliament. The government will not make rash decisions; the matter will be looked at by a parliamentary committee. It has always been my view, and I am sure the shadow minister for multimedia would support it, that we should look forward to the

day when Parliament is online and members of the public are able to send in their ideas about debates and policy and can get the debates on the Internet. I look forward to the broadcasting of televised material. I hope there is bipartisan support for that initiative, but there are associated costs and planning requirements.

I turn to the issue of parliamentary behaviour. At the end of the day the house is master of its own destiny. In the booklet the Labor Party refers to a stronger code of conduct governing the ethics of members of Parliament, and the government will address that over the coming months. It is important that, as is the case in other states, Victoria has a proper code that sets out the principles under which MPs operate.

On the subject of sitting hours, it is true that the government's policy includes some proposed changes to sitting hours. Following discussions with Independent members and opposition members who represent country electorates it is clear that, if there is a choice between working later on a Wednesday night and finishing earlier on the Thursday and sitting until 8 or 9 o'clock both nights, country MPs and Independents, all of whom are from the country, would prefer to get the business over and done with and get away at a reasonable hour on a Thursday.

There is some modification.

**Mrs Peulich** interjected.

**Mr BRUMBY** — The hours are preferable. More work will be achieved in those three days because the house will sit through lunch.

**Mrs Peulich** interjected.

**Mr BRUMBY** — They are better hours. There will be fewer Friday sittings which, under the former government, became a regular phenomenon towards the end of the session. After honourable members had attended for three late-night sittings the government would announce that Parliament would also sit on Friday. Country members were away from their families for the whole week and were particularly affected.

Weighing up the interests of metropolitan members, members with young families and country members is a juggling act. However, in several discussions held with country members they have said they prefer to complete the required business at a reasonable hour on Thursdays and for the Parliament to sit as few Fridays as possible. The government made compromises. I do not believe the manager of government business made any bones about that.

The government's proposals to reform the upper house by introducing proportional representation, reducing eight-year terms to four years, removing the right to block supply and creating a more effective committee system are set out in the policy book. Legislative proposals about those matters are now being addressed.

The sessional orders debate is always good. It places on the record where respective parties see themselves regarding the business of the house. I hope the opposition will concede that a debate such as this would not have been possible under the former government.

**Mrs Peulich** interjected.

**Mr BRUMBY** — The honourable member for Bentleigh is missing the point. Today's debate is intelligent; it would not have been possible without the agreement of the government. Wide debate on the amendments was allowed; the debate was conducted as though the house were in committee. Following the 1996 election the former government afforded the former opposition no such opportunities.

Under the Westminster system the most important way of keeping a government accountable is through questions without notice. That was an important consideration for the Independent members. I have gone through the government's proposals and there was no disputing those facts. If honourable members compare what will happen in future with what occurred in 1996, 1997 and 1998, they will find honourable members will have a dramatic increase in the number of opportunities they have to ask questions without notice over the course of the year.

The proposed 90-second statements will allow business matters to be raised. The opposition will find that that is a major improvement on the past operation of the house. All honourable members will have the opportunity to make statements on important issues in their electorates, whether it be irrigation systems or concerns about the food industry. Honourable members will also have opportunities to raise issues on the adjournment debate when ministers will respond.

My final point deals with the question of matters of public importance. The government has given a commitment that allows flexibility with the wording of the motion so that on Wednesday mornings wide-ranging debates on issues that affect all honourable members will be conducted. Those debates will be good because they will place on the record the views of both sides of the house. In politics governments change and what goes around comes round. Over the next four years, eight years and beyond

the government's proposals for sessional orders will provide a more open, democratic institution with more opportunities available for questions without notice. Honourable members will have more opportunities to raise matters concerning their electorates. The debates on matters of public interest conducted on Wednesday mornings will be broader than in the past.

Those positive aspects are consistent with the charter the government signed off with the Independents. They are totally consistent with the views expressed by His Excellency the Governor when he spoke about the commitment of the Bracks government to open, honest and accountable government. I commend the sessional orders to the house.

**Ms ASHER** (Brighton) — The proposed sessional orders are disappointing because they are an attempted con job on Parliament, the Independents and the public.

The minority Labor Party went to the election with a platform of open and accountable government, but the proposed sessional orders remove many of the commitments it made in opposition, and during the election campaign in particular. The proposed orders are a rejection of the Independents charter, of Labor's response to it, of Labor's policy documents authored by the Minister for State and Regional Development, and of the campaign theme entered into by the government prior to its gaining office. The Independents put together a charter and the ALP has failed on two out of the five points they raised. In the proposed sessional orders the ALP has failed to address the desire of the Independents for more debates on grievances and issues of public importance and failed to open up opportunities to debate private member's bills and petitions.

As a former member of the Legislative Council I am delighted to see the upper house procedure for questions without notice adopted in this place. During my seven years in the other place there were always five questions from each side. I note that the Minister for State and Regional Development originally called for a 45-minute question time but has seen fit to settle for 30 minutes.

Labor's response to the Independents charter is interesting. On the two issues I have singled out — the need for more debates on grievances and issues of public importance and the opening up of opportunities to debate private member's bills and petitions — the opposition has a vastly different response to that in the proposed sessional orders. Labor's response to the charter, which was only yesterday again endorsed by the Premier as something he would stand by in every

detail, called for the introduction of debates on issues of public importance on every parliamentary sitting day other than a day on which grievance debates were held. The government committed itself to provide specific opportunities by agreement to debate private member's bills and to provide for the debate of petitions. It has departed markedly from its response to the charter and has failed the Independents on two out of the five points that they sought to have incorporated in the sessional orders.

I particularly draw the house to the way the proposed sessional orders treat matters of public importance. Although on the face of it the government has included a provision with the potential for debate on matters of public importance it is accomplished by having a turnabout regime under which business is not devoted exclusively to non-government members. It is even more alarming that the MPI provision can be overridden by the government. Proposed sessional order 14 provides that in any week the government can remove the rights of non-government members to debate matters of public importance. That is the proposal of the party that in the response to the Independents charter said it wanted matters of public importance debated on every parliamentary sitting day.

The ALP has not compromised, to adopt the words of the Minister for State and Regional Development; instead it has absolutely abrogated what it told the Independents it would do in response to the charter. Not only do we have only a small chance of debating matters of public importance on one day — it is split fifty-fifty — but the government can exercise its discretion under sessional order 14 at any time and remove that opportunity from non-government members. It is an absolute con job and a sell-out. I hope the Independents realise that they have been conned on the issue of matters of public importance.

Even worse, yesterday the Premier recommitted to the government's response to the charter and said Labor's promises would be honoured in full, clause by clause. While he was saying he would honour every component of his commitment to the Independents, the Leader of the House was tabling sessional orders that dishonoured the government's promises to the Independents and the community.

In response to the Independents charter, the Liberal and National parties' proposal is based on the upper house model. Having been a member of the Legislative Council for seven years I feel qualified to speak about its processes and procedures. The procedure for questions without notice under which five questions are allowed to either side is a productive way to handle

them. I am delighted to see that procedure adopted in this chamber. The response of the Liberal and National parties undertook to ensure there would be 10 questions without notice each day by adopting the Legislative Council model.

As two parties, the Liberals and Nationals committed to the Independents to improve sessional orders so that each Wednesday of each sitting week would be dedicated solely to private member's business between 10.00 a.m. and 2.00 p.m. with non-government members having the right to move motions or debate private members' bills, the only proviso being that notice would have to be given on the Tuesday. That is the fundamental difference between the response of the Liberal and National parties and the proposed sessional orders.

The Liberal and National parties had guaranteed that Wednesday mornings would be devoted exclusively to private member's business, whereas the minority government's proposed sessional orders state that debates on matters of public importance will be shared between both sides of the house at the whim of the government. If the government wants to exercise its discretion under standing order 14 it can take the opportunity to take an MPI away from either the Independents or opposition members. It is a sell-out of the positions that were put to the Independents in the responses of the parties to the charter.

One has to give credit where it is due, and I am delighted to note that in addition to adopting the upper house model for questions without notice the government will provide time for statements by members under proposed sessional order 8. It is the big winner of the minority Labor government's sessional orders reform: members of Parliament can have a total of 15 minutes every sitting day during which each member may speak for 90 seconds, even though the Liberal and National parties offered the Legislative Council model under which every Wednesday between 10.00 a.m. and 2.00 p.m. is devoted to private members' business.

In my seven years in the Council chamber the government never prevented debate of an opposition member's motion. The honourable member for Melton is nodding; he is aware that on Wednesday mornings the time of the Legislative Council is devoted to private members' business. Under the proposed sessional orders put forward today debates on matters of public importance, petitions or private members' bills are not guaranteed.

The Minister for Police and Emergency Services is commenting across the table. My life was much easier when I had the good fortune to be shadowed by him. He tried to introduce a private member's bill in the Legislative Assembly and I advised him to introduce it in the Legislative Council on a Wednesday morning. However, he declined to do so. My only interpretation is that he did not want his private member's bill debated.

Under the ALP sessional orders proposal, particularly sessional order 14, there is no guarantee that matters of public importance, petitions or private members' bills will be discussed. The minority Labor government is happy to con the Independents, the public and the Parliament. The most astounding feature of the proposed sessional orders is its betrayal of what the ALP has been arguing for the past seven years.

It is amazing to follow the Minister for State and Regional Development because he spearheaded the Restoring Democracy campaign during his period as state Labor leader. I refer to sections in a pamphlet entitled *Restoring Democracy* published by the Australian Fabian Society to point out the deviation from the original blueprint. The former Leader of the Opposition did not refer to these sections in his presentation. I also note that he thanked Bronwyn Pike, now the Minister for Housing, for her role in putting the document together.

I draw to the attention of the house fundamental policy differences in the attitudes formerly adopted by the then opposition leader — now the Minister for State and Regional Development — and the sessional orders brought before the house today. The first fundamental difference is the criticism by the minister that 'not a single minute was spent on private members' bills'.

The proposed standing orders do not guarantee a single minute being spent on private members' business. Under the proposed sessional orders the government has the ultimate power of withdrawing the allocations of private members' business as it sees fit.

Regarding matters of public importance, on page 21 of the document entitled *Restoring Democracy*, the Minister for State and Regional Development bemoaned the fact there was only one weekly debate on matters of public importance. He states:

In the federal Parliament such a debate occurs daily. The daily MPI keeps Parliament relevant by allowing full and proper debate on the topical public issue of the day, and such a provision should be introduced in the Victorian Parliament.

What a backflip! A former Leader of the Opposition, now the Minister for State and Regional Development, not only endorsed as part of Labor's response to the Independents charter a daily matter of public importance but for four years advocated that stance. He now advocates that Parliament should have the debate once a week and that, at the whim of the government, the opportunity can be taken away.

On page 22 of *Restoring Democracy* the minister makes this comment about petitions:

Too often, people see the Parliament as distant, irrelevant and outdated. A prime example is the way we treat petitions.

As luck would have it he then refers to a petition about Waverley Park, which I believe we will hear more about in due course. He states:

However, according to the standing orders of the Parliament, the matter was not able to be debated — an insult to the many people who spent hundreds of hours collecting signatures for the petition.

The Minister for State and Regional Development, when in opposition, thought it was an insult that honourable members could not debate petitions, yet the Labor government has proposed sessional orders that give no guarantee that petitions will be debated in this chamber. How times change! What a difference between opposition and government! The former Leader of the Labor Party, having put together these views, has the audacity to say in this chamber that he adopts the provisions set out in the proposed standing orders when the main points he made in chapter 4 of *Restoring Democracy* have been abandoned by the minority Labor government. One wonders whether he has changed his views about parliamentary reform or got rolled in cabinet — a matter I will return to shortly.

The minister did have the decency to refer to the particular change to sitting hours. At page 23 of the document he refers to the adjournment debate beginning at 7.30 p.m. In the popular parlance used by members on the government benches, this is called family-friendly parliamentary sitting hours. In terms of the capacity of those who argue for family-friendly sitting hours to deliver, I for one believe it is virtually nil.

I have enormous sympathy for country members who have to get back to their electorates, but when the coalition was in government I heard the Labor Party talk time after time of its desire to introduce family-friendly hours. I note the honourable member for Bendigo East is nodding her head. I hope she argues in her party room for the reform of the sitting hours of this Parliament.

There is no greater exponent of family-friendly sitting hours than the Minister for Post Compulsory Education, Training and Employment. It has been the no. 1 issue of the minister since she has been a member of the house. The minister has sought media attention and has argued with passion and drive on this issue. Labor's definition of family-friendly hours was for the adjournment to occur at 7.30 p.m. I note that the Minister for Housing in her first speech to the chamber last night said how honoured she was to be part of a government that would introduce family-friendly hours. I wondered what happened in the minority Labor government cabinet. Did the men defeat the women in their request for family-friendly hours, or did they just keep them in the dark? Did the triumvirate of men prepare the sessional orders, introduce them and not let the female cabinet ministers know what was happening?

I am disappointed that the women who led the charge for family-friendly hours have been misled. Despite their ascension to cabinet the prime advocates for family-friendly hours have failed to deliver what they had been promised for so many years. Women, particularly those with family responsibilities, have looked forward to revised sitting hours.

*Restoring Democracy*, which was compiled by a former Leader of the Labor Party, included many of the issues I have mentioned today. When he was Leader of the Opposition the minister's proposed sessional orders — he did not refer to the document today because it is a major embarrassment to him — had provision for petitions and matters of public importance. Those matters of public importance could not be overridden by government; they contained specific provisions for discussion of matters of public importance. I again refer honourable members to the unbelievable backflips or defeats in cabinet suffered by the Minister for State and Regional Development.

The provisions are a con job on the Independents, on the public and the Parliament, and they are a complete reversal of everything the Labor Party said when it was in opposition. During the election campaign in August and September the Labor Party campaigned on restoring democracy and restoring the rights of Parliament so that members of Parliament, when in opposition, would have a greater say. The theme permeated its entire campaign.

When Parliament was opened yesterday honourable members noted that the proposed sessional orders flew in the face of every promise the Labor Party made over the past seven years and during the election campaign. There are no guarantees for debates on matters of

public importance, petitions or private members' bills, about which Labor was so passionate when in opposition.

I have already mentioned that I spent the past seven years as a member of the Legislative Council. I am delighted that many of the upper house procedures and practices have been introduced to this chamber, particularly regarding questions without notice. However, I recommend that the Labor government consider the opposition's proposed amendments which incorporate further upper house procedural reforms into the Legislative Assembly. Honourable members will discover that the operation of the Assembly would benefit from a Council-style approach. In particular, I refer to the procedure on a Wednesday morning in the Council which is exclusively devoted to private members' business; by practice it was exclusively devoted to opposition members' business.

I refer in particular to the practice adopted in the upper house for dealing with questions on notice. Ministers are required — I was during my three and a half years as a minister in the upper house — to answer questions within 30 days of their being asked. If they do not, debate can be brought on there and then. I urge the opposition to adopt that upper house procedure by supporting — —

**Mr Thwaites** interjected.

**Ms ASHER** — The opposition has moved the amendment; it is already won over! There is an opposition amendment before the house, and I urge the government to support it.

I will comment on the sessional orders governing lunchbreaks and divisions. Putting the drain on the staff to one side, opposition members are concerned about having lunchbreaks not because we want to eat more but because it would be impossible to guarantee there would be no divisions during that time. For example, if an honourable member who misbehaved did not accept being sent to the sin-bin, a division would be required. That situation could not be controlled by agreement. If a debate looked like ending during the lunch hour, would members be required to string it out? It would be impossible for either side of the house to guarantee that divisions would not be called during the lunch hour.

I am disappointed with the proposed sessional orders that members have before them. They are a backdown from the Independents charter and the ALP's response to it, from the policy documents that the ALP has put together over its seven years in opposition and from the

ALP's campaign themes relating to the operations of Parliament.

While I am prepared to commend the government on instituting the Legislative Council system for question time — although I note the former Leader of the Opposition called for 45 minutes of questions every day, not 30 minutes — it has not gone far enough. The government should adopt a procedure for dealing with private members' business on Wednesday mornings that would guarantee that all non-government members — Independents and opposition members alike — had the opportunity to raise whatever they wished to, be they matters of public importance, private members' bills or debates on petitions.

The sessional orders are a sham. They fly in the face of everything the Labor Party has committed itself to over the past seven years. They are a complete reversal of everything members opposite argued for in opposition. As I said earlier, I feel sorry that the female members of the cabinet have not been able to deliver on something that was very important to them.

I urge honourable members to look at the proposed sessional orders carefully. They are not the great reformist measures the ALP claims they are; they are minimal reforms. The great change in the sessional orders is that for 15 minutes a day 10 members get 90 seconds to have their say. I would be very surprised if that could be described as fundamental reform!

It is a great shame that the ALP has not honoured the commitments it has made and the policies it has adopted. It is also a shame that those who advocated reform of the Legislative Assembly sessional orders have not been able to deliver and that honourable members are debating proposals that are a sham.

**Mr THWAITES** (Minister for Health) — I was fascinated by the remarks of the Deputy Leader of the Opposition. There was a sense of *deja vu* about them. I felt I was welcoming back old friends, because I had heard them all before. In saying that I am paraphrasing my good friend the honourable member for Forest Hill, who is hanging on my every word! The honourable member used those words while speaking in May 1996 during the debate on the sessional orders proposed by the previous government, which the then opposition was concerned about.

Sessional orders will always be an issue between the government and the opposition. The house has heard a great deal of rhetoric from various members of the opposition, but once the rhetoric is peeled away it ought to be acknowledged that the sessional orders represent a

fundamental improvement in the way the Parliament is conducted.

The sessional orders will open up Parliament, allowing it to be more democratic. I am sure there will be arguments around the edges, with legalistic points being taken by the honourable member for Doncaster and complaints being made by the Deputy Leader of the Opposition.

**Mr Perton** interjected.

**Mr THWAITES** — The honourable member for Doncaster will no doubt raise points of principle. He is good at doing so in opposition, but he was silent about points of principle while in government. That was revealed yesterday, when he admitted he was opposed to the legislation on the Auditor-General that was put through by the previous government. I am sure that was a point of principle for the honourable member for Doncaster. Unfortunately, no-one knew about it.

Unlike other members who were prepared to stand up for their principles, the honourable member for Doncaster was silent. It was not until recently that the honourable member stood up to the former Premier. We all read about the famous meeting of 12, and I see that a number of his colleagues who were at that meeting are in the chamber. How many of them are here — —

**Mr Perton** — On a point of order, Mr Speaker, although the comments being made about me by the honourable member for Albert Park may appeal to him, they are firstly untrue and secondly irrelevant to the debate. I ask you to bring him back to the debate on sessional orders.

**The SPEAKER** — Order! I ask the Deputy Premier to come back to debating the sessional orders.

**Mr THWAITES** — I will be very pleased to, Mr Speaker. I was responding to the interjection the honourable member for Doncaster made about — —

**The SPEAKER** — Order! Interjections and responses to interjections are considered disorderly.

**Mr THWAITES** — I make the point that the opposition ought to acknowledge that the proposed sessional orders will result in a fundamental advance and improvement in the openness and accountability of Parliament.

I also pay tribute to the role the Independents have played in the introduction of the sessional orders. Everything the house has heard from honourable

members opposite has been about responding to the Independents, including whether they have been conned or responded to properly. Members opposite have not discussed or acknowledged the real belief the Independents have in opening up Parliament and making it more accountable, because the opposition does not believe in that. The opposition's record on openness and accountability over the past seven years is so bad that it cannot mount an argument based on either the facts or its philosophy. All it can do is nitpick at problems and refer to the Independents.

The proposed sessional orders are a move towards a fundamental improvement in democracy. They reflect the commitment that honourable members on this side of the house have to improving Parliament, not just in the past few weeks to get the support of the Independents but for the months and years ahead. The government's commitment goes back three or four years, when the then Leader of the Opposition, the Minister for State and Regional Development, produced the paper he referred to earlier after examining parliamentary procedures right around Australia. The paper contains some interesting information about question times, including how few questions are asked in this house compared with the number of questions asked in other houses around the country.

The opposition has changed its colours. Within the space of a few weeks it has completely abandoned its previous position on the conduct of the business of the house. Rather than having any real belief in what it is doing, the opposition is seeking to score political points.

That is sad but understandable. They do not know where they stand now. They are all trying to work out whether they will live down the legacy of the Kennett years and whether they support the Kennett years or oppose them. Most, but not all, of them — there are some notable exceptions — are busily disowning their former leader. That is why we have not heard any contributions that are positive or contain positive advice about what should happen.

Opposition members can only be described as chameleons. They change their colour — or to use another analogy, they are like snakes. Their skin is now peeling off day by day. The Kennett layer peeled off yesterday, and the McNamara layer is peeling off today. The problem is there is nothing underneath — no real belief.

Nothing could illustrate that fact better than the purported sessional orders proposed by the manager of

opposition business. They do not even include a government business program. I am not sure whether that was deliberate or just a mistake. I cannot believe opposition members, who for seven years told us the sessional orders they introduced that include a government business program were the appropriate way to manage the house, could suddenly abandon the idea.

The niggling approach of the opposition today can be contrasted with the approach the Labor Party took in 1996 when this matter was last before the house. We debated points at that time but we did not oppose the principle of having a government business program because we recognised it was a better way to manage the house than the alternative, which included the need for a guillotine.

I well recall how in my first days in this place in 1992 bills were rammed through the house in the dead of night using the guillotine as a mechanism. That was not a good way to manage the house. It was ad hoc and lowered the reputation of the house. Very important bills were handled in that way in the dead of night. I remember sitting in my seat up the back seeing 20 members rising on the government side to ram legislation through.

The purpose of the sessional orders being considered is partly the continuation of orderly arrangements through a government business program. In the past four years the Labor Party has not opposed the idea of a government business program. It seems, however, that the members of the opposition, recent converts to parliamentary reform as they are, now want to throw out one of the few decent reforms introduced by them when in government.

Question time is another important issue. I remember the former member for Wimmera, Mr Bill McGrath, usually in this very spot, batting away at the end of question time. He came to be known as the Slasher McKay of the government because of the way he would go in and bat away the end of question time. He was often given that task, the task of night watchman. I remember seeing him look up at the clock and laugh because he had only 7 minutes to go. All of them were laughing and waiting to see whether he would use up the remaining question time without giving the opposition the chance to ask another question. If there was one thing the former member for Wimmera was good at it was batting out question time!

That was a difficult tactical issue for the Labor Party in opposition because he was very bad at managing his portfolio so there were a lot of questions to ask him.

When we asked them, however, he would bat out the time. The result of that was an undermining of the ability of this house to hold the executive properly accountable.

One of the key points we have made, and a point the Independents included in their charter, is a minimum number of questions being asked in question time. I am proud to say that the government is now introducing that concept. Indeed, the Independents toughened up the government's original approach, which was simply that there should be 10 questions. They did so by adding that there should be a minimum time of 30 minutes as well, — so the government cannot, by means of some artifice such as giving very brief answers, foreshorten question time. In their charter the Independents also proposed that questions be answered properly rather than being ignored or batted away without dealing with the actual question.

I am sure further refinements will be needed, and members on this side of the house are prepared to embrace such refinements because we actually believe in making this place more accountable. It is part of our policies, not something we introduced simply to get the support of the Independents.

Proposals by members of the opposition for reform of the operation of Parliament are interesting, yes; but when did they first make them? The first time they proposed any improvements was in the period between the election and the supplementary election — and then only to secure the support of the Independents. They had no belief in what they were doing. I am not sure if they all even knew about it.

At the time the then Premier refused to tell former government members what was happening, and it was reported that he could not trust them. That may be so because he was aware that the honourable member for Doncaster was arranging meetings in his office. It was not until after the election, when it became known that it needed the support of the Independents, that the former government showed any interest in parliamentary reform.

The government is able honestly to say it believes in the policy it is introducing. The opposition cannot do that — opposition members are simply playing political games and trying to justify the fact that it was not until a few short weeks ago that they started embracing reform.

I am concerned that the opposition has said the Independents are being conned. That displays a fairly arrogant attitude — it assumes that the Independents

are foolish and cannot think for themselves. Having had some contact with each of the Independents for some time, I am able to say that they are people who would never be fooled or conned, and they are extremely independent, which is why they were elected. Their constituents knew when they elected them that they would get representatives who would be honest, who would stand up for them and who could not be conned. The Independents have been successful because they have delivered. Parliament will be more open and accountable, and they can be justly proud of that. The government is also proud to be a part of that process.

*Opposition members interjecting.*

**Mr THWAITES** — The running of Parliament is not a joke — it is very serious. Government members seem to think the issue is amusing, but it is serious.

The government has been prepared to compromise with the Independents because it trusts them. Members opposite will never be re-elected if they continue with that arrogant attitude. They think they know best and can tell people what to think without needing to mount an argument to support their views.

I will refer to some aspects of the sessional orders. The Independents charter for good government and the democratic operation of Parliament states that sessional orders should be revised to allow for a minimum number of sitting days a year. The government is totally committed to sitting a minimum of 50 days a year. I will compare that to the performance of the opposition when it was in government. Throughout the opposition's time in office Parliament sat for fewer days than any other Australian Parliament, and it sat for half the number of sitting days of the federal Parliament. Someone told me that the Victorian Parliament sat less than some of the parliaments around the world that are not known as democracies. The Victorian Parliament sat for 19 or 20 days in the earlier part of the year.

If Parliament does not sit the executive is not held accountable. The government believes it is appropriate for the executive to be held accountable, which is why it is committed to sitting for more days. Of course that will involve some difficulties for ministers, who will be required to fix the seven years of neglect and mismanagement of the former government when it was in office. As the Minister for Planning I will need to work my way through the mass of inconsistent and ad hoc decision making of the past seven years. It will be difficult, but the government is committed to accountability. Government members are proud and honoured to be accountable in Parliament.

The Deputy Leader of the Opposition was extremely pejorative and sarcastic when talking about members' statements, which once again demonstrates an arrogant attitude. I would have thought the opportunity for members to make 90-second statements at the commencement of each day would be something members should look forward to. It is a chance for honourable members to raise the concerns of local community groups, local councils or constituents and to put them on the parliamentary record. I presume the Deputy Leader of the Opposition was so pejorative because she had nothing to say. It would seem that she believes no issue is worth raising on behalf of her constituents in Brighton, which does not surprise me. We know she was moved to this chamber as part of a deal made by the former Premier — of course she has no interest in her electorate. I am sure government members such as the honourable members for Bendigo East and Ballarat West will take the opportunity of raising issues of importance to their electorates.

I take this opportunity to commend the honourable member for Bendigo East on her inaugural speech last night in which she raised some of these issues. I look forward to hearing many important statements from her in future.

The next issue I shall deal with is matters of public importance. I well recall Wednesday mornings in this place over the past seven years when the Labor opposition would seek to raise matters of public importance using the adjournment of the house. Two rules applied, but the rule that applied to the procedure used in Victoria could be found only in the 17th edition of *Erskine May*. The old rules that applied in Victoria were thrown out in the United Kingdom. The modern edition of *Erskine May*, of which I have a copy, is of no help on this issue. The rules were extremely archaic, and it seemed that if any issue had a political context it was barred from being debated in this place.

I can recall issues of more than passing importance, such as the ambulance scandal, which were ruled out of order. Honourable members were not able to debate such matters and were not able to use this place to keep the executive government accountable. Under the government's proposals that is exactly what the opposition will be able to do. It will be able to raise a matter of public importance without the need for a motion to fit the archaic rules of so-called urgency and without having to comply with rules developed in the 19th century for the House of Commons.

The government is proposing a process where not only the opposition but also the Independents and government members may raise matters of public

importance. That will be a fundamental advance in the way this place operates. Honourable members will be able to debate those matters for 2½ hours. The opposition has complained that that is not long enough. The previous rules allowed for only 2 hours of debate. The government is actually extending the time by half an hour, but the opposition is still complaining. The chameleons on the other side have changed their colours and will complain about anything. I would have thought they would have been grateful for the opportunity to have a proper debate every Wednesday about a matter of public importance, modelled along the lines adopted by the commonwealth and a number of other state Parliaments. More members will be able to take part in the debates because the speaking time will be reduced. That is a fundamental advance.

As I look up I can see that I have another 7 minutes in which to speak. If the proposed sessional orders applied now I would be finished. I may wind up shortly as a mark of respect for these sessional orders! There has been a tendency in this place to fill out the time available. I have been as guilty of that as anyone else, and the reduction of available time to 20 minutes will be an improvement. Some of the best debates in this place have taken place under limited time arrangements. For example, during the debate on the drug issue everyone acknowledged that very good contributions were made by all honourable members who agreed to shorter speeches on that day. The proposed change will lead to an improvement in the way the house operates.

The government business program committee will continue under the proposed new sessional orders. I ask opposition members to address why they removed from their proposed sessional orders a procedure under which they operated for seven years when in government. That demonstrates the absolute hypocrisy of members of the opposition. If members of the opposition had a skerrick of decency they would have kept the fundamental reforms they introduced rather than bleating, complaining and failing to make any proper contribution to this debate.

**Mr CLARK** (Box Hill) — Mr Speaker, I congratulate you on your election to office. I am sure you will serve this house with great distinction.

As a student I read a book which made a very powerful impression on me — it was *Animal Farm* by George Orwell. I am sure many honourable members are familiar with it and that a large number have read it.

As many honourable members will be aware, *Animal Farm* is a story about a group of animals who decide to

throw the farmers off the farm and establish an animal-run collective democracy, working under principles such as equality in sharing of workload and reaping the rewards for effort. Capping it all off was a charter of animal rights painted up on the farmyard wall, setting out in detail the rights all the animals would enjoy. Of course the pigs eventually came to dominate the scene. The workhorse was sent off to the knackery; the hens ended up on the dining table; and bit by bit the charter of rights on the farmyard wall was rewritten. The animals did not know quite how, but one night out in the courtyard they saw a pig with a bucket of paint in inexplicable circumstances. Eventually the charter of rights on the farmyard wall ended with the simple statement ‘All animals are equal, but some are more equal than others’.

That book made a very powerful impression on me in emphasising the humbug and cant of many of those who seek to impose an ideological regime from the top and tell people how they are to live their lives, without having regard to human frailties and failings. Last night the Minister for Housing referred to governments being needed because of human failings. She is half right in that, but she must remember that governments can often be part of the problem rather than part of the solution.

One thing that strikes me about the debate the house is having today is that we are close to seeing a re-enactment of the tragedy of *Animal Farm*. Some of the animals have agitated against the farmers, thrown them off the farm and set up an animal-run democracy, in which all evil will be banished, all goodness will be restored and we will live in a happy democracy ever after.

Yesterday after the opening of Parliament honourable members opposite attended the traditional garden party, which they condemned when they sat on this side of the house. Where did all the talk go? We are eating in the dining room under exactly the same conditions that we have eaten under in the past, when it was branded silver service and Ranald Macdonald was hounded from his position at the ABC because he had the temerity to suggest it was no different from the service at the Collingwood Football Club Social Club. Do we hear complaints from members opposite about what they previously branded as silver service in the parliamentary dining room?

Perhaps most significantly, we see the results of the paint brush being brought out in the middle of the night to rearrange the charter of rights that was painted on the farmyard wall. Let us look at what was put up in the halcyon days when honourable members opposite were

the crusaders for truth and democracy. What did they say in the ALP policy on integrity in public life? They said that Parliament is the core institution of our democracy, that in recent years it had been degraded and abused by an arrogant executive government and that Labor would restore the integrity and effectiveness of Parliament and win back public respect for the political process.

The policy stated that the reforms would include a substantial increase in the number of sitting days; longer and more effective question times; more time for private members' bills and other debates; reasonable, family-friendly hours of sitting; and behaviour standards and a sin-bin for disruptive MPs. The policy said Parliament would be opened up to the community through modernised petitioning procedures that allowed selected petitioners to directly address the Parliament, televised sittings, and access to proceedings through a state-of-the-art online democracy via the Internet. That was all wonderful stuff — almost enough to make one want to vote for the Australian Labor Party.

But what happened? When they got back into government things started to change. The bucket came out and a bit of paint work was done on the promises. The first round of paint work was done in response to the Independents charter, as a result of which moves were made away from Labor Party policy on integrity in public life. The commitment to longer question times disappeared. It was proposed that private members' bills would be introduced by agreement only. Then it was proposed that the issue of selected petitioners directly addressing Parliament would be sent off for consideration by the Standing Orders Committee. The reference to family-friendly hours disappeared.

Curiously, however, there was a commitment by the then Leader of the Opposition that:

As Premier in the Bracks Labor government I personally commit to the following:

instructing all ministers to answer questions directly and in a manner that does not waste the time of the Parliament; and

leading by example, by answering all questions specifically with the required detail to fully inform members of the Parliament of the issue raised.

The house had an opportunity to see that in practice yesterday and this morning. It was nothing to do with sessional orders but it was a question of the Premier's personal commitment. All honourable members can judge the extent to which question time yesterday and today lived up to the personal commitments of the Premier.

Now the house can see the second application of the paint brush to the farmyard wall with the moving of the draft sessional orders. There is no increase in the length of question time and no provision for debates on matters of public interest every sitting day, other than when grievances are noted. What is the big initiative on petitions? A member can now stand up and read out the petition, instead of having the Clerk read it out. But a member who reads a petition will not have the opportunity to move to have it taken into consideration. No opportunities are provided for private members' business at all, except perhaps at the grace and favour of the government. Worst of all is proposed sessional order 14, under which, given the way it is worded, the government can at any time knock out a debate on a matter of public interest, which presumably will involve a matter raised by an opposition member rather than a government member. In many respects the house is going backwards.

The speed with which the paint brush is being wielded by honourable members opposite is almost beyond belief. It is being wielded so fast that backbench members have not caught up with it. Last night the house heard the honourable member for Bendigo East innocently — and I am sure sincerely — supporting the commitment to greater democracy. Had she read the proposed sessional orders when she made her contribution, and did she know what the Leader of the House was proposing when she spoke during the address-in-reply?

Yesterday the Premier also spoke about the response to the charter. We on this side of the house naively thought he was pledging his word to stand by the response that the ALP had given. But today in the house he said, 'No, I don't stand by the charter response. I stand by only the charter'. Where does that leave the Independent members? I refer to the statement the Premier made when he communicated his charter response to the Independents:

This formal response will detail my position on the charter and how I intend to implement both its detail and its spirit in the event of your support.

Then the three Independent members and Mr Bracks signed a memorandum of understanding as a result of which this side of the house ceded government to the Australian Labor Party. The memorandum said:

The ALP commits itself to the matters addressed in the response to the charter.

Where does that stand now, with the Premier saying he proposes to live up not to the response but only to the charter?

It is worth adding that this is not just a private deal between members of the Australian Labor Party and the Independents. It is a matter on which the people of Victoria, particularly the citizens of Frankston East, exercised a vote. At that time the Bracks commitment to implement both its detail and its spirit was in the public arena and was something they were able to take into account when casting their votes. It is not just a private arrangement but something in which every citizen in this state is entitled to have an interest. Earlier the Minister for Transport used an interesting turn of phrase when explaining the paint-brush job by the Australian Labor Party.

The Minister for Transport called it a dynamic response to the charter. By that he obviously means one which changes over time and is not locked into what was said. It can be different things at different times.

We are now confronting the situation where we started off with broad principles for reform when members opposite were in opposition and we are now getting down to minutiae, the small detail of the limited changes proposed. One may ask why we are worrying about these small details and changes at the margin. You do not have a revolution to get incremental change at the margin. You do not bring down a government simply because you believe that 2½ hours of public interest debate plus two lots of 15 minutes for statements is better than 3 hours of opposition and Independent business, which is what the coalition proposed in its charter response.

The main theme of government members is that honourable members on this side of the house cannot talk because when we were in government we did all sorts of terrible things. For the record it is worth having a look at what happened to sessional orders between the time the Labor Party was last in government and the coalition's time in government, because the coalition's record in government stands up quite well. I well remember the period between 1988 and 1992 when I was previously on the opposition side of the house. In those days we started sittings on Wednesdays and Thursdays at 10.30 in the morning and went on to the adjournment debate at 11 o'clock at night. That was changed by the coalition government so that the house ran from 10 o'clock in the morning to 10 o'clock in the evenings on Wednesdays and Thursdays. It was a step forward.

Under the previous Labor government we had 2½ hours of debate of general business on Thursday mornings. Under the coalition that was changed to 3 hours on Wednesday mornings. Under the Labor government we had grievances for 4 hours every third week. It was not

every third sitting week, it was every third week from the start of the sittings. The people who scheduled the sittings of the house cleverly scheduled them so that every third week from the start of the sittings was not necessarily a sitting week. If there was no sitting week there would be no grievance debate, which meant there were only a handful of grievance debates in the time the Labor Party was last in office. By comparison, under the coalition government 3-hour grievance debates took place on days appointed by resolution, and there were usually at least two per sessional period. The time was shortened to 15 minutes per speaker to give more honourable members the opportunity to speak.

Under the previous Labor government half an hour was allocated to the adjournment debate and the speaking time was 5 minutes per member, as we have experienced so far this sitting. Under the coalition it was reduced to 3 minutes to give more members the opportunity to speak.

Under the last Labor government matters of urgent public importance could be debated on Thursday mornings, but the Speaker seldom allowed them. Under the coalition government such matters could be debated on Wednesday mornings, and they generally were allowed — again a step in the direction of greater democracy and debate in this Parliament.

Under the last Labor government question time was held at the start of every sitting day, as we saw this morning. Under the coalition it was held at 2 o'clock every sitting day, a reform that I think was universally welcomed. Under Labor there was no right of reply for aggrieved members of the public. That was reformed by the coalition government — again a step in the right direction. Apart from those changes, and one other I will refer to, the sessional orders under the previous coalition government were virtually identical to those under the previous Labor government. Televising of proceedings was also progressively liberalised under the previous coalition government.

The big change under the coalition government was the introduction of a government business program. I was struck by the remarks of the Deputy Premier earlier in the debate. He said the introduction of the government business program was a good thing. The reason that was so surprising was that up to now the existence of a government business program has been one of two main lines of criticism levelled at the coalition by the former opposition.

The other issue is sitting days. The number of sitting days has traditionally fluctuated, depending on the amount of business before the house, as have the hours.

I am sure other honourable members can do the sums to chart the performance of the coalition government, and they will find that it is not as different from that of its predecessors as some people try to make out.

The coalition government was often criticised for its government business program. It is striking that that program is now cited as a good initiative of the previous government, because that rather undercuts the case against the democratic practices of the previous government that has been mounted to date.

I will tell the house why the coalition had a government business program. It was introduced in 1993 after the then opposition had indulged in a vicious and dastardly disruption of the sittings of the house. It went far beyond passionate and principled opposition to measures with which the then opposition disagreed; it was pure bloody-minded divisiveness and an attempt to make the Parliament grind to a halt. I need provide only one example: the practice of the then manager of opposition business, Tom Roper, when bills went into committee.

Honourable members who have past experience as members of the house will know that when a matter goes into committee there are three questions that are usually put together as one: that the bill be committed, that the bill be now committed, and that the Speaker does now leave the Chair. That amalgamated question is usually carried on the voices, and it takes maybe 10 or 15 seconds. Mr Roper insisted that it be split into three questions: that the bill be committed; that the bill be now committed; and that the Speaker does now leave the Chair. He then called for divisions on each question, which took half an hour out of the time available to the house and gained the then opposition nothing. It was based on no real principle and was done just for the sake of obstruction.

The government of the day had no alternative but to respond by introducing a government business program. I invite honourable members who wish to query that information to read *Hansard* for the first few months in office of the coalition government.

The Deputy Premier asked why the government business program was left out of the opposition's proposal for sessional orders. The simple answer is that the opposition does not intend to engage in such bloody-minded tactics. However, the answer goes one step further than that: it is not logically in the interests of either side of the house to engage in those sorts of bloody-minded tactics, because we all know that we are all minorities today, both government and opposition, and there are three Independent members present to

keep us all honest. I am sure if either side of the house engaged in those sorts of tactics it would soon incur the wrath of the honourable member for Gippsland West and the other Independent members. The government business program provisions are no longer needed, which is why they were not proposed.

The record of the previous coalition government does not stand up badly when compared with the record of the Labor government that preceded it. The changes it made were all improvements to the way the business of the house was conducted. However, that is not the question that faces the house today. The question today does not concern the rights and wrongs of the past; it concerns where we go in the future. The motives, the reasons, the inconsistencies and the positions adopted by either side of the Parliament in the past are not fundamental to that debate. The question which every member of the house needs to ask is what is the right thing to do now.

Why are we bothering to get into an argument about whether there is one line or one and a half lines left of that magnificent charter painted up on the farmyard wall? Why are we not insisting on the full 10 lines of that democratic charter? It is a rare opportunity for the house to get its procedures right, to break the mould, to depart from the past and to put in place significant changes to sessional orders that are likely to endure for some time. Opportunities like this are not common; usually the government of the day, of whichever complexion, has other priorities than reform to standing or sessional orders. The move to reform standing orders instigated by the previous Labor government did not proceed far.

The opposition is sincerely committed to parliamentary democracy, as was evidenced by its response to the Independent members' charter. The government has in the past strongly supported democratic principles. Three Independent members have committed themselves publicly to democratic principles. If we are all in favour of democracy, why can't we all get together and make it work and have a decent break with the past rather than arguing at the margins?

Government members have questioned the sincerity of the opposition in the changes it has proposed. It is rather ironic that in this Parliament where all honourable members should be treated with courtesy and respect, it seems to be only opposition members whose motives can be impugned. The answer to that criticism is seen in the then coalition's response to the Independents charter. I remind the house that the response was given at a time when the coalition believed, perhaps naively, that if it responded to the

charter in the way that reflected the wishes of the democratic process in September 1999 and reflected the policy objectives of the Independents, they might be prepared to back it in Parliament since it was the largest single group. When the coalition put forward those commitments, they were commitments it was prepared to stand by in government. As the Leader of the Opposition has said subsequently, they are commitments the opposition is still prepared to stand by.

What were those commitments? They were: increasing the number of parliamentary sitting days a year; ensuring sitting days and times allow for fair and fuller debate on proposed legislation; and introducing new sessional orders to ensure 10 questions without notice are now asked each sitting day regardless of the time taken. Even more significantly, the final two points were: to improve the sessional orders so that each Wednesday of a sitting week is devoted solely to private members' business between 10.00 a.m. and 2.00 p.m., with non-government members having the right to move motions or debate private members' bills for which notice would be given on the Tuesday; and ensure petitions can be debated as of right during this time. The coalition went on to say it would guarantee that every third Wednesday the Legislative Assembly sits is dedicated to grievances between 10.00 a.m. and 2.00 p.m. and ensure that the adjournment debate can, at the discretion of the Speaker, be extended beyond its normal time limit to allow any member to have the call on any sitting day.

As I said, these were commitments the coalition was prepared to make when it assumed it might be forming government. That is a demonstration of the sincerity of members on this side of the house.

Let us seize the opportunity and break the mould. Let us not just make incremental changes. Let us make very real reforms. Let us look at giving opposition and Independent business 4½ hours each week. Let us give the opposition and Independents the opportunity to choose their own business and to deal with real business rather than just transitory debates on the issues of the day, or rather than being dependent on the government as to what is permitted to be debated. Let us have real opportunities to introduce and have debated opposition and Independent private members' bills. Let us have real opportunities to have petitions debated rather than members simply being allowed to read them out instead of the Clerk. Let us have the matter of public interest debate available for every day except opposition business day, for the reasons that were put so eloquently by the honourable member for Monbulk. Let us extend the adjournment debate each

day to give more opportunities to members to make a contribution. Those would be real democratic changes, not the peripheral changes we are canvassing in the government's proposed sessional orders.

There is one final, even worse, aspect to the proposals that have been put forward by the Labor Party this afternoon. I believe the government is setting a trap for the Independent members of Parliament. It is seeking through the sessional orders to institute a three-class system in Parliament.

There will be three classes of members. The first-class members will be the government members, who will be able to prevail through their control of the sessional orders and government business. The second-class members will be the Independent members. They might just be able to wheedle a few scraps of concessions from time to time from the farmhouse table of the government, provided they behave themselves and assist the government when needed; and perhaps if they are nice to the government, the government will be nice to them and exercise sessional order 14 in a way that favours and assists the Independent members.

The third-class members will be those representing the Liberal and National parties. They will be the victims of these regressive sessional orders and will be at risk of having their matters of public interest set aside routinely and cavalierly by the government. The Minister for Transport said that is not what is intended by proposed sessional order 14. He may not have intended it, but that is the most likely consequence. The sessional order states that at the discretion of the government, general business, notices of motion and orders of the day may be called on in substitution of a discussion of a matter of public importance pursuant to sessional order 9. An examination of sessional order 9 reveals that what is planned to be rotated from one side of the house to the other are the proposals for discussion, not discussion itself.

A proper reading of proposed sessional order 14 leads to the conclusion that the opposition could have a proposal accepted, the rotation for the proposal could go to the opposition side, the government could move to set aside that discussion, and the call for the proposal the next week would go back to the government side of the house. If the Minister for Transport is sincere in saying that is not what is intended, let him make at least one change, which is to eliminate that potential ambiguity. Even that would be an extremely small concession. Why on earth should the government have any discretion at all as to what is brought on in non-government business time?

The Deputy Leader of the Opposition put most eloquently the way debate is conducted in the upper house. Several honourable members, particularly those opposite, have referred to upper house reform. This is an example of where the upper house is streets ahead of this house. The best thing the house could do is, as the opposition is proposing, to adopt the upper house model for the conduct of non-government business, giving a genuine say to this side of the house — Liberal, National party and Independent members, in proportion to their numbers — as to what is dealt with on Wednesday mornings.

That would be a genuine and fair dinkum democratic reform, but that is not proposed by the government. Instead, Liberal and National party members are likely to end up being third-class members of Parliament and the Independents second-class members, who will be very much dependent on the grace and favour of the government for making progress in fulfilling their wishes and their agenda. It seems to me to very much compromise the independence of the Independent members if they have to rely on a quid pro quo from the government to make progress on their agenda rather than having the right, as free and Independent members of Parliament, to advance the matters they wish to advance.

Some very fine principles were set out in the Independents charter. Members on this side of the house were prepared to embrace and commit to many of them as was set out in the then coalition's response to the Independents charter. That opportunity should not be lost now. Honourable members are now seeing the Labor Party out there with that midnight bucket of paint. They can just about see the rewritten version of the charter of democracy taking shape on the farmyard wall. I fear that if it is not stopped, just as in George Orwell's *Animal Farm*, it will consist of a single line: all members are entitled to be treated with courtesy and respect, but some are entitled to more courtesy and respect than others.

**Ms DAVIES** (Gippsland West) — I urge honourable members to support the sessional orders as proposed by the Leader of the House. Those sessional orders provide for a greater balance between the need for the government to move on with government business and the need to allow for more debate in Parliament.

The Independents charter, which honourable members have been freely talking about today, set five fairly general points about the operation of Parliament. We received written responses from both the Labor Party and the then coalition. The sessional orders now before

the house are a combination of both written responses that we received. The Independents treated as significant what each side was prepared to offer when it considered itself a government or potential government.

The proposal by the honourable member for Monbulk is much less significant. It contains items that the former government would never have accepted, and I suggest it contains items that no government would accept. As an example, the Wednesday program would take up more than 7 of the sitting day total of 10 hours on non-government business. That seems over-the-top and unrealistic. It would be difficult to allow time for sufficient debate on government bills. All honourable members will recall that the former Premier and Treasurer believed that the introduction and passing of government bills was the only purpose for Parliament sitting. Fortunately, Parliament has moved beyond that.

During negotiations both sides convinced the Independent members that it was impractical to include in the sessional orders the stipulation that Parliament should sit a minimum of 50 sitting days a year. I accept that. Goodwill and trust were and remain a definite part of the negotiations. The former opposition offered a considerably greater measure of goodwill and trust than the former government.

Between November 1998 and November 1999, when the opposition was in government, Parliament sat for 17 days. That was completely unacceptable, and all the members of the Liberal and National parties should be ashamed of that dreadful record. The government has given an undertaking that Parliament will sit for a minimum of 50 days a year, with more opportunities for better debate. I believe that is good for all honourable members and for the state.

Proposed sessional order 3 — deals with questions without notice. It provides that question time will last for a minimum of 30 minutes or until 10 questions have been answered. That proposal evolved during the negotiations. The Independent members requested that ministers give succinct answers to questions. However, answers of such brevity that they allowed question time to finish in less than 30 minutes would be highly unsatisfactory. I believe the proposed sessional orders provide honourable members with the best of both worlds. I do not believe that 10 questions were ever asked in one question time in the last Parliament!

The opposition's waffling in proposing that question time consist of ministers answering 15 questions in 45 minutes amazes me. Under the proposed sessional orders if the government wants to complete question time in 30 minutes ministers will have to answer

questions properly and succinctly without being so brief as to keep the questions coming. If ministers' answers are succinct honourable members may well have the opportunity of asking between 10 and 15 questions. Ministers will need to practise giving brief and succinct answers to improve their performance.

Proposed sessional order 4 refers to grievances. In responding to the Independents charter both sides offered a grievance debate every third Wednesday. The number of grievance debates will depend on the number of sitting days. As I said, the Labor Party response to the charter offered a minimum of 50 sitting days each year. The coalition response was more nebulous: it said it would ensure more sitting days without specifying a number. Sitting for more than 17 days is not necessarily sitting for many at all, and that would certainly not allow for three grievance debates a session. I accept that it is impossible to hold three grievance debates during the spring sessional period, which will be short. For that I blame former government members. The commencement of the session had already been delayed, and the election was timed to delay it even further. That is their problem.

I accept the government's assurance that Parliament will normally have three grievance debates a session. It is very much in the interests of the Independent members and their electorates to have those debates. Each Independent member will have the opportunity to contribute to a grievance debate a session, and I am confident that the government will hear our wishes on that matter. Members of the Liberal and National parties will benefit from that as a follow-on.

Proposed sessional order 5 refers to adjournments. I accept as practical the 30-minute time frame under which 10 honourable members have 3 minutes each to speak. I was a regular participant in the adjournment debate during the last parliamentary session. The system worked well except for a noticeable ministerial unwillingness to respond to issues raised by Independent members in particular, even when it was obvious that ministers were in the bar or elsewhere in the house. That was disrespectful, and I am confident that that behaviour will not be repeated.

The suggestion by the honourable member for Monbulk that an hour be allocated to the raising of issues on the adjournment debate seems completely over the top. Honourable members would never get out of the place if every night 20 issues were raised and 20 ministerial responses were heard. During the autumn sessional period I never heard a complaint about members who wanted to speak on the adjournment debate not having the opportunity to do so. The

proposed sessional order is eminently practical and manageable.

Proposed sessional order 8 refers to the 15 minutes allocated daily for 90-second statements — 10 a day or 30 a week. Honourable members may take some time to become accustomed to that. I have discussed the issue with federal parliamentarians who say the statements provide a useful opportunity for members to raise issues affecting their electorates. It is additional non-government-controlled time. The statements will give honourable members good practice in precise expression. Many of us could benefit from that, and I look forward to seeing how the 90-second statements work.

Proposed sessional order 9 refers to debates on matters of public importance on Wednesday mornings. I wanted to eliminate the incredible time wasting during which honourable members discuss whether an issue is important enough to debate. That kind of rubbish should not be allowed in this Parliament. The elimination of those futile arguments will save time and avoid farce.

I also hope that the proposed sessional orders will reduce the farce of members reading out notices of motion written on party sheets and then passing them around. Sitting in our corner seats we Independent members could see then government members handing round the dummy sheets so their colleagues could read notices of motion. Yesterday I noticed that they still rely on that practice. I suggest that they start thinking for themselves.

On the debate of matters of public importance (MPIs), in our negotiations with the government the Independents took up the coalition suggestions in its response to the charter rather than the one hour daily for such debates, as originally suggested by Labor. The coalition proposal included the suggestion that notice be given the day before, which we considered a good idea. It should raise the quality of debate the next day if people have notice of the issue to be debated. Debating the MPIs in a block of time will also mean that more people will be able to contribute.

As a slightly off-centre point, as the MPI debates will be in a block of time that might also be a useful time for members who do not want to participate in the debate to organise a meeting with somebody either inside or outside Parliament. The arrangement has a practical purpose from that point of view.

The government's proposed sessional orders give the Speaker considerable discretionary power to decide on

the matters that will be discussed, the rotation of speeches between government and non-government members on a pro rata basis, and whether to allow different general business such as private member's bills to be debated. Giving that discretion to the Speaker is very much as it should be.

In the previous Parliament the Independents were always treated with courtesy, respect and consideration by the Speaker. We were dealt with fairly in being given opportunities to raise matters and speak on bills within the limits of the sessional orders then in operation. The new sessional orders open up those possibilities. I am confident our new Speaker will exercise his greater discretionary powers very fairly and with the democratic operation of Parliament as a priority.

It seems that many opposition MPs are worried that debate on MPIs and private members' bills will be permitted only by agreement after negotiation. There is definitely room for reasoned discussion on whether such debates should go ahead. Given the fine balance of this Parliament, if members of the opposition are not satisfied with the outcome of negotiations with the Speaker or the government, I suggest they have a chat with the Independents. However, as they do that, members of the opposition will need to improve their listening and negotiating skills.

It was obvious to me when discussing matters with the manager of opposition business in the house that he and other opposition members still have a problem listening and still are not quite sure of the meaning of negotiation. I hope that over the next few years they learn those skills because they will need them.

The sin-bin is a good idea. Obviously the close numbers in the house mean that a 24-hour exclusion of a member is not practical. I look forward to the Speaker, Deputy Speaker or Acting Speaker asserting control in the house sufficiently to curb excessive behaviour. Although I enjoy the occasional bit of repartee, I hope the house will not see any more of that bad-tempered and bad-mannered rowdiness that has been obvious in the house in the past.

I am concerned that Hansard will be stretched even by the alterations to the sessional orders that will result in the house sitting through lunchtime. I urge the government to increase the resources available to Hansard to help it cope. It has been made obvious that at this time Hansard does not have the capacity to provide the same service if the house sits through the dinner hour which would enable the house to have considerably shortened sitting times.

I have heard discussion today of family-friendly hours. For a country mum such as I am, family-friendly hours mean Parliament sitting enough hours to do its job properly within the three-day sitting week. Perhaps that is selfish, but for me finishing the sitting at 11 o'clock at night is fine — it suits me. If Hansard had the necessary resources to cover Parliament sitting through the dinner hour, the length of the sitting day could be reduced. As I said, I accept that sitting through the dinner hour is not feasible at the moment and that that means we are sitting later in the day than many people would like.

I hope we will not get a repeat of the breast beating that resulted in our late finish last night. I hope all members of the house acknowledge that it was the fault of both sides of Parliament that the house sat so absurdly late yesterday.

I am happy to review the operation of the sessional orders in a couple of years. I see no reason to amend them at the moment. It is vital that the sessional orders be put in place posthaste. I will therefore not be supporting any of the opposition's amendments. I urge members to support the sessional orders. I find them reasonable, accessible and consistent with the principles outlined in the Independents charter.

**Dr DEAN (Berwick)** — Before I address my comments to the substance of matter before us, I will pick up a couple of the comments made by government members on the sessional orders.

The Minister for State and Regional Development is on record in writing and in Parliament expressing all his desires for changes in sessional orders in detail. When he rose to his feet, he immediately got stuck into the character of the honourable member for Monbulk. That characteristic of the minister should be abhorred by the house.

He made the laughing comment that the honourable member for Monbulk is the shadow minister for water. It is strange that a person who prides himself on a knowledge of the country would suggest that having a shadow minister for water resources is something to be joked about. I can tell him that people in the country regard water as possibly their most important resource — they do not regard water resources as a laughing matter but as an important part of their lives.

The minister then went on to talk about federal Parliament. In the writings to which I will be referring a little later he often mentions the sessional orders of federal Parliament. He proposes adopting them holus-bolus. The extraordinary thing about what he has

had to say is that all those federal Parliament sessional orders that he holds so dear have been abandoned in the sessional orders he has commended with such pride today.

The Minister for State and Regional Development said that in the last session not one private member's bill was put up in this house. To put up a private member's bill requires work. There was not one private member's bill because members of the then opposition never did sufficient work to enable them to get through their own legislation. To the extent that they did any work, it was always a meagre effort.

The Deputy Premier attempted to make the point that the ALP had expressed interest in parliamentary reform for some time. An examination of the proposed sessional orders shows the sum total of the so-called interest in parliamentary debating reform amounted to 2½ hours of debates on matters of public interest and grievances, and 15 minutes of 90-second statements on Wednesdays.

The comments of the honourable member for Gippsland West were of concern. It seems the government can do nothing wrong and the opposition can do nothing right. Her suggestion that the opposition should check with the Independents if it wants to get things through the government is not acceptable in a parliamentary democracy. I am sure she did not mean we should deal with the government through her. Her comment by way of interjection, 'What goes around, comes around', leads me to the substance of my contribution.

I confess a degree of frustration and disappointment about today's debate because many of us were hoping to welcome the possibility for a new start. In the past governments have blamed the previous government for the need to introduce their sessional orders. The Kennett government would have said, 'Well the Cain government did it'. The Cain government would have said, 'The Hamer government did it'. What we were all about today was to say, 'Let's break that cycle'.

When I heard the honourable member for Gippsland West say, 'What goes around, comes around', it seemed to be the wrong attitude to take towards the proposed sessional orders and the opportunity to break the cycle. Not only do the proposed orders not break with the past, they simply dress up Wednesday mornings in different clothes and leave things practically as they were. In many respects it is a shift backwards. I had the view that perhaps on this occasion the opposition and government could agree on a new deal for parliamentary debate because of the current

unique situation in Parliament: a minority government, three Independents who had expressed in their charter a desire to do this very thing, and an opposition which had already expressed in its reply to the charter its desire to do it and which put forth sessional orders today demonstrating that desire. Those factors provided a glimmer of hope that something would be different.

However, it was more than that. The previous opposition, the now Labor government, ran a campaign on the changes it wanted to make. Its members talked about decency, democracy and a fairer Parliament. They did not just say that, they went into the public arena and campaigned for it. They wrote articles about it expressing the view: this is what we want to do when we get into government. It was a direct campaign to change things, not casual statements. What were the elements of that change? What was meant by the words 'a fairer Parliament'? The logic was that because of the dominance of the government, non-government members should have the capacity to keep the government honest by having time to do certain things such as putting up private members' bills, having debates on grievances and having matters of public interest raised.

The basis of the hope I held that things would change is contained in a couple of documents that were set out in detail by the government when in opposition, initially by the honourable member for Broadmeadows when he was Leader of the Opposition, and subsequently in a document entitled *Making Parliament Work*. When I read it I thought, 'This is what we can expect from the new government and is what we, as the opposition, should support'.

The other sign that told me we could make a break today and give the non-government forces an opportunity to do the things they need to do to keep the government honest was the government's response to the Independents charter — the fact that it said time and again it would stick to it and the opposition said publicly it would stick to its response. How many times did members of the media and others say to both parties, 'Now you've responded to the charter, if you get into government will you stick to it'? On each occasion, both the opposition and the government said, 'Yes, we will stick to it'.

I speak with a feeling of frustration and disappointment at an opportunity lost because nothing has been achieved except that a Wednesday morning is dressed up in slightly different clothes. If the opportunities for debate are added up there will be less time for the opposition than in the previous Parliament. There will be no opening up of Parliament. The government has

defied the charter, and the avenues for an opposition to raise matters — grievances, matters of public importance, private member's bills, petitions and question time — will either remain exactly the way they were or be reduced. What an opportunity lost!

I turn to grievances. What the Independents said in their charter was plain. Their words were, 'We want more grievance and issues of public importance debates'. Labor's charter promised at least three grievance debates per session. The honourable member for Gippsland West has already said, 'We won't get three this time'. In its proposed sessional orders does the government guarantee we will get three? No. Right at the start the guarantee of at least three has been broken.

In the previous Parliament we had 3 hours on Wednesdays to debate grievances — until 2.00 p.m. After unravelling what the government's sessional orders propose on grievances, not only is there no guarantee of three per session, there is half an hour less. The Independents' request for more grievance time has not been met.

I turn to examine matters of public importance. The promise was clear with no doubt about there being 1 hour available every day. I refer to the document, *Making Parliament Work*, which was the blueprint I referred to before. My hope was that the government would stick to it. The Labor Party campaigned strongly on the fact and put in writing that 1 hour would be set aside every day for debate of matters of public importance. I refer to the document and the government's words, and this is why I hoped we would break with the past. Page 15 of the document states:

Members of the Victorian Legislative Assembly have less scope for moving motions and private members' bills compared with other Parliaments. In the federal House of Representatives matters of public importance (MPIs) are debated on a daily basis with the debate limited to 1 hour in total and with reasonable limits for each member speaking...

Labor will guarantee in the Legislative Assembly 1 hour debates on matters of public importance every sitting day.

That is its policy in writing, and that is what I hoped would make a break with tradition, a break with the tradition of all past governments — the Kirner, Cain, Kennett and Hamer governments.

I refer to what the then Leader of the Opposition, now the Minister for State and Regional Development, had to say in his *Restoring Democracy* document. From his point of view it is a well-reasoned article, and the honourable member appears to have put his heart and soul into what he wanted. At page 21 he says:

In addition, the Victorian Parliament allows only one weekly debate on a matter of public importance —

which is the exact mirror of what we just got from the Labor Party:

In the federal Parliament such a debate occurs daily. The daily MPI keeps Parliament relevant by allowing full and proper debate on topical public issues of the day, and such a provision should be introduced in the Victorian Parliament.

It was party policy, and it was his dedicated public position on what he wanted, that because matters of public importance occurred on a daily basis it was important that they be debated. What was the Labor charter response? It followed the matter through. The previous leader worked hard to ensure the concept got out into the public arena. The policy said 1 hour a day, and the Labor Party's response to the charter refers to the:

... introduction of issues of public importance debates on every parliamentary sitting day other than on a day when grievance debates are held.

When asked by the press time and again whether the Labor Party would stick to that charter, every time the answer was yes. I believed it was a break with the past. True, the past may not have been good, but we should not get caught up in the cycle of saying, 'You did it and they did it, and the time before they did it'. This was our chance to make a change. They were the changes the government said it would make; they were the changes it promised publicly to make. The government has not made the changes, so this is an opportunity lost.

The Labor Party also promised special time for debate on private members' bills. I refer again to the previous Labor Party leader's discussions about federal Parliament and how it provides special opportunities for that. I refer to the document *Making Parliament Work* to see what the government says generally about the topic:

Labor will guarantee in the Legislative Assembly times for private members' bills to be debated.

In the *Restoring Democracy* document the former Leader of the Labor Party set out a well-reasoned and well-researched argument. Page 21 states:

For instance, our Parliament gives virtually no consideration to private members' bills. In 1997, 21 private members' bills were debated in the Tasmanian House of Assembly totalling 111 hours of debate. Another 20 were debated in the South Australian Legislative Council. By comparison, not a single minute was devoted to this important task in either house of the Victorian Parliament. The single private members' bill that was introduced was refused by the government.

He then sets out what it was. That's fine.

**Mr Hulls — Why didn't you do it?**

**Dr DEAN** — The excuse for the government not living up to what it said it would do is apparently looking at the past and asking, 'Why didn't you do it?'. In other words, its justification for not doing the right thing, for not living up to its obligations is, why didn't you do it? I was ready to break with that and this was an opportunity to do so. The opposition is committed to it in its response to the charter and has put it as a matter of fact. Apparently the excuse for the government's not doing what it thought was right was that we should have done it before. That simply does not hold water.

After all that discussion about providing special time for debating private members' bills as a matter of policy and in response to the Independents charter the government has not proposed a special sessional order about private members' bills.

What about petitions? The Labor Party set out how it wanted to deal with petitions. It did it publicly, in writing and in this place. It wanted a special time for arguing and discussing petitions. The previous Labor Party leader makes it clear what he thought should happen at page 22 of his document:

A prime example is the way we treat petitions. Many hundreds of people regularly collect signatures to petitions, and just about everyone has signed one at some point.

The honourable member goes on about long petitions not being given any chance of an airing. He talks about petitions about AFL park containing 65 000 signatures and how it is an outrage that there is no chance to debate the matter. He goes on:

Clearly the rules about petitioning Parliament need to be modernised. With the right sort of safeguards in place, petitioners should have the right to present petitions directly to the Parliament and speak to them. This would help highlight matters of great concern to Victorians and increase people's awareness of the importance of their Parliament. Under this proposal, in each week of sitting 1 hour would be reserved for the consideration of petitions. Twenty minutes of this hour would be reserved for four speakers to address Parliament for a maximum of 5 minutes each on the subject of their petition.

The remaining 40 minutes would be set aside for further debate. The honourable member has gone into great detail about petitions. What was the Labor Party's policy after the hard work undertaken by its former leader? The document *Making Parliament Work* reflects that policy. It is the government's policy which I thought contained some hope of change in the Parliament. The document states at page 9, under the heading, 'Petitions — right of address to the Parliament':

With Labor, 1 hour will be set aside for the consideration of petitions each week of sitting, of which:

20 minutes will be reserved for the public presentation of petitions to the Parliament by members of the public;

petitioners will be allowed a maximum speaking time of 5 minutes; and

the remaining 40 minutes will be for debate of petitions.

What did the Independents ask for? They requested time to debate petitions. What does the government deliver? At best, under sessional order 13 it gives the right to read the petition. If a petition is to be considered it will be on the say-so of a minister. In other words, if a petition concerns that minister's portfolio and is not one the minister relishes, it may not be considered.

On the capacity of the public to participate and the right of the non-government side to discuss petitions, we are left with an insidious response: a petition can be read and, if the minister agrees, it can be considered in the future. The result is that the non-government side has no capacity to scrutinise the government. Previously it had 3 hours on a Wednesday; now it will have 2½ hours for matters of public importance, interrupted grievance debates and 90-second statements for 15 minutes a day. It is the grand new approach.

The opposition suggested Wednesday morning for non-government business. This is similar to the proposals the government put in its articles — what it told the public and what is in the policy. The opposition suggested it meet with the government on this proposal, after all this time. What was the opposition met with? Nothing.

Both the Minister for State and Regional Development and the party policy had a lot to say about question time: they said 45 minutes every day was an absolute minimum. What did the Minister for Transport say about the length of time set aside for questions? The sessional orders the Labor opposition put up in response to the sessional orders of 1996 state that there should be 1 hour each day for question time.

The government members say the opposition is not fair dinkum, and I say this is what was put up in 1996 — suddenly it does not matter; the government is ducking for cover. In response to the sessional orders introduced in 1996 the present manager of government business in the house made it clear he thought question time should last an hour each day.

What has the government delivered? What is the response? Where is the chance to make a break in the cycle of blaming previous governments for being too hard? On a Tuesday, 30 minutes a day — or 15 minutes

less — is suggested. It goes on: look at the policies on family-friendly hours! For example, in an article headed 'A more family-friendly Parliament' in the publication entitled *Making Parliament Work*, the Labor Party states:

Under Labor the Parliament will be scheduled (by sessional order) to sit 9.30 a.m. until 7.30 p.m. with provision for extension by vote of a simple majority.

The government will change the hours from 9.30 a.m. to 7.30 p.m. In his pamphlet *Restoring Democracy* the Minister for State and Regional Development says that sitting through lunch and from 9.30 a.m. until 7.30 p.m. means sitting for the same length of time.

What has the government done? The sitting of the house commences at 9.30 a.m. but the finishing time, as we saw last night and are likely to see again tonight, could go beyond 11 p.m. The government has no intention of taking a more family-orientated approach in this sessional period.

None of the Independents' requests has been granted. The break with the past has not eventuated. Grievance debate time is reduced; the time for raising matters of public importance is reduced and under sessional order 14 can be avoided by the government; question time has been reduced; a special time for debating private members' bills does not exist; time for debating petitions is practically out the door; and the overall time in the house for non-government business has either not been changed or been reduced.

It is an opportunity lost and I am sorry the Independents have decided to back the government proposal; that they have not seen the opportunity for change and that the member for Gippsland West thinks it is appropriate the opposition should, as she said, ask her if they wish to do a deal with the government. The Independents want to make a change to the time for debating all non-government business. They understand the way to keep a government on its toes is for the non-government side to have rights. It is difficult to understand why they did not follow through when they had the power to do so in the palms of their hands. That is a shame.

The government responded to the charter by fulfilling its obligations to the Independents. The response to the charter has not been honoured. What does this mean for the rest of the government's term? In three weeks it has failed to honour written promises and failed to honour the response to the Independents charter. I suspect this will be the pattern.

**Ms KOSKY** (Minister for Post Compulsory Education, Training and Employment) — I am pleased to speak in support of the sessional orders proposal currently before the house. I compliment the Minister for Transport — the manager of government business — on his efforts in translating both Labor Party policy and the Independents charter into practice and into sessional orders. I will address a range of issues raised in debate, particularly the issue of family-friendly hours within Parliament.

As well as the fact that they are no longer in government, the honourable member for Berwick and other opposition speakers fail to realise that the proposed sessional orders are a blend of policy and commitment to the charter. The differences from policy indicate that consultation has taken place. Compromise was necessary over areas of difference between Labor Party policy and the charter. The Liberal Party has difficulty understanding the concept of consultation, although perhaps it will begin to develop a commitment to it now that its members are in opposition. When opposition members were in government 'consultation' was a word that never left their lips.

The current opposition had a set of policies before the last election campaign but when it was clear it would not get into government it responded to the Independents charter and was prepared to drop all its policies and do a backflip in order to be in government. Members of the former government now sit on the opposition benches being critical because this government has developed a blend between what it went to the election with and what the Independents asked for in their charter.

People in glass houses should be careful; I wonder how opposition members have managed to enter this debate with straight faces. When in opposition members of the Labor Party had a commitment to open, transparent and accountable government. We understood that it is not only the executive that makes decisions but that Parliament has an important role to play in delivering democracy in this state. There may be times when that is uncomfortable for the government, but we are prepared to accept that because the only way to have a properly functioning democracy is a clear and open role for the Parliament. We understand that healthy democracy is underpinned by an effective and informed Parliament where thorough debate takes place with fullness and frankness so that Victorians can be effectively represented by members of both sides of the house. Every member has that opportunity.

It is fascinating that the Kennett clones were only too happy to gag debate when in power, to limit members

on certain matters and prevent government scrutiny. The gag applied not only during the election campaign but also in this place to a range of government MPs. I am amazed at the hypocrisy of opposition members. They should have seen this as an opportunity to move forward. All they are doing is whingeing, whining and carping.

The proposed sessional orders increase government accountability and return the role of Parliament to that which the Constitution intended. The range of changes proposed are at the forefront of what is happening in state Parliaments around the country, which the opposition fails to realise.

**An Honourable Member** — What about family-friendly hours?

**Ms KOSKY** — I shall come to that. Members of the opposition will learn in the future not to sit on their backsides and criticise the government — it understands the importance of the Independents charter and has a commitment to it.

I turn to family-friendly hours which I know many members opposite strongly advocate, as does the government. I certainly have entered into the debate about family-friendly hours in a way that was inclusive of parents on the other side of the house, especially women. It was disappointing that the Deputy Leader of the Opposition fixed on playing the person rather than the government on this issue. I am a strong advocate for family-friendly hours but that is not the case with the honourable member for Brighton. She would do well to read *Hansard* when I spoke on a whole range of issues.

**An opposition member** interjected.

**Ms KOSKY** — There is a parrot on the other side of the house who had his opportunity but is clearly disappointed he did not say everything he should have!

The Deputy Leader of the Opposition said I actively sought media attention on this matter. That is not the case; the media sought my views. More importantly, it sought to understand the importance of family-friendly hours and the need for the government to consider and debate important issues within reasonable hours and not to sit until 3 o'clock in the morning. The comments I am responding to were made by the woman who, at the time the debate about family-friendly hours was raised, agreed with Jeff. She said I knew what the hours were when I was elected to Parliament so why should they change now. This is a woman who has no children and has not yet sat long hours, apart from last night. The Legislative Council does not sit the same hours as this place. I was disappointed in her contribution because I

thought she would have supported other women on the opposition benches who are committed to this issue. It also came from a woman who suggested that I was rolled in Cabinet.

The opposition frontbench with 22 frontbench members could only get four women on the frontbench. The government has made a commitment to transparent and accountable government and to extending the hours of parliamentary sittings so there is more thorough debate, openness and transparency. At the same time that has to be balanced with the need for hours that take into account a range of different responsibilities of members of Parliament. The proposed sessional orders will provide an opportunity for opposition and government members to have proper debate. It means longer hours but it is balanced against the need for hours to suit a whole range of families in this place. Some members have families in Melbourne and others have families in country Victoria. When I have had discussions about family-friendly hours I have acknowledged the need for all members of this place to get home at a reasonable time at the end of a sitting week so they can spend time with their families. I do not think sitting until 3 o'clock in the morning constitutes family-friendly hours or that we can make sensible decisions at that time.

I recently visited Western Australia where the conservative government has introduced a change in parliamentary sitting hours. The Western Australian Parliament appointed a standing committee to review its sitting hours, which is precisely what the government proposes. The government's proposals have not slipped off the agenda. It will consult on and then review the proposals. However, I know the opposition has difficulty understanding what consultation is all about. The conservative Western Australian government reviewed its sessional orders and is trialling new sitting hours. After three weeks it reviewed the situation to determine how it was working. The proposals include starting earlier in the morning, sitting late one night and finishing at 6.30 p.m. on another. It proposes concluding sitting at 4.30 p.m. so country members can return home the same evening rather than having to wait until the following day.

In reviewing sitting hours the government wants to get the balance right between allowing more opportunities for members to debate issues and ensuring that the hours suit members and staff.

**Mr Plowman** — As well as country members?

**Ms KOSKY** — Country members are members of Parliament. The sitting hours are being reviewed so that

they benefit all members and staff. The best way to do that is to consult thoroughly; otherwise, members will criticise some of the arrangements, claiming that they have not been looked after.

**Dr Dean** interjected.

**Ms KOSKY** — The honourable member for Berwick should have listened to the contribution of the Minister for Transport, who clearly stated what was intended. The proposals have not dropped off the table but will be examined to ensure that Parliament has the best possible working hours. The review may decide that the government's proposals are not the best arrangement and do not suit everyone. The government wants to ensure that country members are looked after, as happened in the Western Australian Parliament. The needs of all honourable members and their families will be addressed. I am still committed to addressing the issues. As I said earlier, I am not concerned just about my family but have a commitment, as does the government, to ensuring that sitting hours work for current and future members.

The government proposes a more effective approach to questions without notice. Honourable members will be aware that on many occasions question time has been treated as a padding-out exercise. In responding to questions raised by members, ministers often padded their responses and watched the clock tick over to reduce the number of questions asked of ministers. The government proposes that question time last for 30 minutes or until 10 questions have been answered. In recent times 10 questions have been asked only when question time has lasted for 45 minutes. The new provision will ensure that ministers do not pad out answers to questions.

Prior to the commencement of government business, 15 minutes will be allocated to statements by members, with a time limit of 90 seconds for each member. The proposal will allow members to raise policy issues or matters relating to their constituents. I am disappointed the opposition is criticising the proposal while not acknowledging that it did not exist previously. The proposed changes will make for a more effective Parliament that will fulfil its function of scrutinising legislation and government policy while allowing members to better represent their constituents.

The government proposes introducing debates on matters of public importance. The current arrangements for Wednesday mornings are unsatisfactory. More time is spent debating whether an urgency motion should be moved rather than debating the motion itself. The proposal for debates on matters of public importance

will ensure substantive debate takes place rather than the focus being on procedural issues.

The opposition says that the Labor government has moved away from its policy document. Labor originally proposed that matters of public importance be noted each day, but the Independents asked that such debates take place on Wednesdays. In acknowledging the argument of the Independents the government is proposing that debates on matters of public importance take place on Wednesdays. The proposal will allow all honourable members to take part in debate in a way that has not been possible during the past seven years.

The sin-bin provision will allow the house to temporarily remove a member who is disrupting the business of the house. It is similar to the rule that should be introduced in AFL football; it will allow tempers to settle down rather than requiring that a member be removed from the chamber for 24 hours.

The government proposes that in any debate members should be permitted to speak for 20 minutes rather than the 30 minutes provided in standing orders. Honourable members who entered Parliament in 1996 believe that to be a sensible approach. It should avoid honourable members having to put up with the tedious repetition that in the past often occurred towards the end of a speech.

A number of other changes have been referred to in the debate. I acknowledge that the previous Speaker introduced some of the changes now being proposed in an attempt to make Parliament more democratic. However, given former Premier Kennett's attitude to Parliament, I also acknowledge that the previous Speaker faced difficulties in introducing changes that many honourable members would have liked. I acknowledge his efforts in introducing the televising of proceedings and the broadcasting of debates, including the right of reply by the Leader of the Opposition.

In conclusion, I reiterate that the government has a strong commitment to and wants to introduce family-friendly hours after consultation and a review that would acknowledge the needs of all members and their families, including country members, so that Parliament can operate more effectively. Then all our families and the families of staff will be happier when we finally arrive home.

**Mr MACLELLAN** (Pakenham) — My 10 years in opposition under a Labor government provides the perspective behind which I say we should not trust the words of a Labor government but should observe its actions. So far in this sessional period the house has had

two question times, during which the words of the Labor government have been shown to be hollow because both question times have exemplified everything the government pretends to hate. Ministers have padded out answers and have watched the clock and filled in time until the total allocated question time expired. As has become the norm in this house, unless one takes a point of order with Mr Speaker, Mr Speaker does not intervene and say, 'I think the minister is debating the question'; each minister is allowed to spend 7 or 8 minutes on each answer.

The debate is a simple exercise in filling out time because the government does not have a legislative program — no notices of bills to be introduced, no first or second readings and no debates on bills to be adjourned for consideration on another day. The notice paper is stacked with a few notices of motion moved by ministers that will become government business to entertain honourable members next week. The house will have no government business to deal with other than the pretended government business.

The government appears to actually enjoy it because it has the high art of saying one thing and meaning another about family-friendly hours, yet here we are at about 5.30 p.m. Thursday making certain that family-friendly hours will not be in place today. The house has to accept that the Independents have the balance of power in the house and despite the honourable member for Gippsland West telling the house what may happen, all honourable members know that decisions will be made according to the way the Independents vote.

I am sure the honourable member for Gippsland West would not attempt to speak for the other two Independents, but I took what she said seriously when she urged support of the proposed sessional order. Were I to take her seriously I would expect her vote would be with the government; I also anticipate that the other two Independents will vote with the government. I confidently anticipate further that at about midnight tonight honourable members will still be voting in our family-friendly Parliament because I understand that at least another six government members want to tell the house about their sessional orders.

Even after the honourable member for Gippsland West has declared her intentions and after the government declared, as it did at the commencement of the debate, that the motion would be carried, it still wants to have one member after another tell the house how the opposition has misunderstood the situation. Apparently the opposition should have understood that the words, the printed policy and the commitments of the Labor

government in the public arena mean nothing when they come into this house.

It appears the house is to have an experimental sessional order. That's fine! The honourable member for Gippsland West spoke about it lasting for a couple of years — I am sure she was mistaken because she really meant to say three or four years — and that when the government goes to the next election we should review the sessional orders. If the government has a majority, it will conduct a review; if it has a clear majority here, it will review the sessional orders to the disadvantage of the minorities in the house.

I remind the house that 10 years in opposition gives one a wonderful perspective. Within about four weeks of settling down and becoming a government, the Labor Party by way of goodwill across the chamber is offering next to nothing. As the Deputy Leader of the Opposition said, the government is offering a 90-second opportunity. That could be said to be a startling offer from a Labor government, but it would be tokenistic in the extreme.

I congratulate the Minister for Housing on having seconded the motion for the adoption of an address-in-reply and on the generosity of her words during that debate, as well as the appropriateness of her speech. But earlier in the debate it was said that the Fabian Society publication had revealed the minister's assistance in the preparation of the family-friendly commitments made by the government on how Parliament would be better run. Now the minister is about to vote so that the opposition will be allowed a sin-bin and a 90-second statement session. Of course, we need to watch our timing; will an honourable member be allowed to raise a point of order during the 90 seconds? Will Parliament be degraded by having a government member take a point of order in the middle of somebody's spectacularly successful 90 seconds to ensure the whole 90 seconds is not used?

The house used to adopt that tactic during the adjournment debate; fortunately, the Chair toughened up, ignored the clock, and made clear to members that that sort of behaviour was unacceptable. Now we need to ensure that the house has shorter, sharper presentations with, perhaps, less humour. I will set the example by now sitting down.

**Mr HULLS** (Attorney-General) — It is a disgrace that suddenly members of the opposition have become born-again Democrats. They have seen the light, hallelujah! As the house knows, for the past seven years there has been no democracy in this chamber. Under the leadership of the former Premier, Jeff Kennett,

supporters of the then government resembled a pack of sheep that did nothing but follow the former Premier. Now that he has gone, opposition members have suddenly found their voices and decided this place should have some democracy. Who could possibly take the mob opposite seriously?

The Labor Party came to government and made it clear it wanted to return democracy to Victoria. The government said it wanted to open Parliament and make it more accessible to ordinary Victorians — to make it a place where open and frank debate could take place on a whole range of issues. The government made clear that members of Parliament should have far more opportunities to speak and to represent their constituents.

Now opposition members are cackling and saying, 'Why didn't you?'. Some of the interjections opposite are from members who were not prepared to open their mouths during the past seven years about how Parliament should operate. The would-be Attorney-General, the shadow Attorney-General, the man who thought he was about to become the chief law officer in the state now, unfortunately for him, sits on the other side of the house and tries to tell Victorians, 'I wanted democracy in Victoria; I wanted open and free debate in this place; I wanted to give the opportunity for members of Parliament to speak' — but he should also add, 'I didn't have the guts to stand up to Jeff Kennett'. Now that Jeff Kennett has gone, the honourable member for Berwick is prepared to come out of the trenches.

He would be a great one to have with you in the trenches. He has not got the spine to stand up to someone like Jeff Kennett and say, 'You are destroying democracy and ruining the Parliament! We should ensure that members get an opportunity to speak'. Only now is the honourable member prepared to say that he has found democracy.

For seven years this house was shrouded under a veil of secrecy because no-one was prepared to stand up to the former Premier. Time and again when Labor was in opposition we made numerous suggestions about how the work of the house could become more democratic. We pressed for debates to be conducted on matters of public importance (MPI) and for 90-second statements to be introduced, as occurs in the federal Parliament. Such opportunities are crucial if democracy is to exist and thrive in Victoria.

**Dr Dean** interjected.

**Mr HULLS** — The shadow Attorney-General is laughing about 90-second statements. It just so happens that his federal colleagues — with whom he no doubt gets on very well — agree entirely with the practice of making 90-second statements and support that practice in the federal Parliament, because it gives backbenchers a chance to raise issues of concern in their electorates.

It is also interesting to note when looking at the proposed opposition amendments to the sessional orders that all of a sudden the opposition is saying that there should be more open debate, the hours should be more family-friendly, debates on MPIs should be introduced and question time should be extended. What a joke!

The new honourable member for Hawthorn is sitting at the table but he cannot interrupt because he has not made his first speech. I expect he will be leading the opposition in the not-too-distant future, and good luck to him. He expects so, too — I understand he is telling all and sundry that that will be the case and that he is yet to make up his mind about whether he will have the honourable member for Brighton as his deputy. If he had been in this place for the past seven years, he would understand how hypocritical are the views now being put by the opposition. If he had sat in the house during question time when the present opposition was in government, he would have seen that the then opposition members were gagged and not able to ask questions. When it was suggested that question time be extended, that was not possible; when it was suggested that more questions be asked, that was not possible; and when it was suggested that question time be extended and a certain number of questions allowed, that was not agreed to. Yet now these born-again people, who have seen the light on the road to Damascus since the election, are saying, 'We ought to have all these you-beaut whizzbang sessional orders that will restore democracy to the state'. No-one believes them. They can carp, harp, whine, whinge, bleat and moan. They were a bunch of jellybacks when they were in government; they were not prepared to stand up to the former Premier — and no-one believes them now!

The new government believes that the Parliament is owned by all Victorians and that honourable members are just their servants. It fervently believes in democracy and the democratic process and is opening up the Parliament to ordinary Victorians. It has decided to introduce sessional orders that will make the Parliament a far more democratic place. The government is proposing to extend question time to ensure that at least 10 questions are asked and answered during each question time.

If that system had been introduced while the Kennett regime was in power, with the filibustering that took place by farmer Bill McGrath when he was used as nightwatchman to wind down the clock for 15 minutes, question time could have gone for three hours! However, the government is prepared to have question time for as long as it takes to ensure that at least 10 questions are asked and answered, because it is happy to be scrutinised. The government believes in ministerial responsibility, and that if it makes mistakes — and I expect it will from time to time — it ought to be scrutinised. It is happy for that to occur.

**Dr Dean** — Why don't you give us the opportunity?

**Mr HULLS** — It is interesting to hear the inane interjection by the would've-been-if-he-could've-been Attorney-General, who asks, 'Why don't you give us the opportunity?'. We wanted the opportunity for seven years when we were in opposition, but you were not prepared to listen to us — you hid under a rock! We are giving you an opportunity that very few oppositions have ever had in this house. The government is not just throwing a few scraps to the opposition. If it wanted to be vindictive — it is not vindictive and I am not a vindictive person — it would have left the sessional orders the way they were. Wouldn't there have been some bleating then! The honourable members for Brighton and Hawthorn would have been jumping up and down saying, 'These sessional orders are unfair!'. The government is not vindictive and it is prepared to restore democracy to the house.

Debates on matters of public importance are crucial. The proposed sessional orders allow for matters of public importance to be debated on a regular basis, unlike the unsatisfactory urgency motion process of the past under order 26. Debate on matters of public importance will occur every Wednesday morning, as is appropriate. Indeed, the debate will be for two and a half hours.

The house heard the honourable member for Berwick say there should be appropriate time limits on speeches. Thirty minutes is far too long. If you cannot say what you want to say within 15 or 20 minutes, you are filibustering or you have nothing to say. Limiting the time for speeches to 20 minutes will give every person who wants to make a contribution to a debate the opportunity to make a contribution.

**Dr Dean** interjected.

**Mr HULLS** — The shadow Attorney-General asks why I spoke for so long on the particular issue of the abolition of compensation for pain and suffering for

victims of crime. He remembers that well and will be reminded of it on a daily basis. It will be interesting to see how he votes when the government introduces legislation providing for the restoration of compensation for pain and suffering for victims of crime.

The government is also prepared to open up broadcasting and televising of proceedings of the house, as is appropriate. It will provide an opportunity for Victorians to find out what goes on in this place. If only broadcasting had occurred more often in the previous session of Parliament — Victorians would have known what sycophants and parasites members of the former government were. They were the Marcel Marceau of government. They were not prepared to open their mouths on any key issues. When it came to an issue such as legislation affecting the powers of the Auditor-General and making changes to freedom of information, did they stand up to the Premier? No — they were jellybacks. But when it came to paintball — for goodness sake! — there they were, prepared to stand up to the Premier! When it came to key issues that related to democracy in this state, they were not prepared to stand up to the former Premier. Now they sit on the opposition benches and tell the government — and want Victorians to believe — that they want Parliament to be a more democratic place. No-one believed them at the election and no-one believes them now. Only the Bracks Labor government can be trusted on that matter.

The government is prepared to open up the Parliament. It is prepared to have sessional orders that will return democracy to Victoria, and that is why I urge all honourable members to support the sessional orders of the government.

**Mr THOMPSON** (Sandringham) — During the last election campaign a number of Liberal placards around the state were defaced by a map of Victoria with the word 'sold' on the front of it. I can tell members of the Labor Party today that they should keep those stickers because they need only add the word 'out' after the word 'sold' to make 'sold out', which is what they have done to their supporters with the disparity between their promises and their performance.

Some honourable members on the government back benches who have not yet even made their inaugural speeches came into the house full of high principle and honour, but they are now standing behind a government that has sold them out on promises. Speech after speech today has been a litany of disparities between parliamentary reforms promised in public speeches,

policy documents and the ALP web site and actual Labor Party performance.

The honourable member for Niddrie has obviously been on the road, not to Damascus but to Flemington. Earlier today he was asked a fine question about paying tribute to one of the great racehorse trainers. Never mind the fact that he is the Minister for Manufacturing Industry as well as the Minister for Racing, we are going to have a memorial to Bart Cummings.

**Mr Hulls** interjected.

**Mr THOMPSON** — I am not disappointed about the memorial to Bart Cummings. The one thing I am disappointed about today is that the honourable member for Niddrie has missed the chance to make Victorian history. He could have driven through the reforms the Labor Party promised in its various electoral propaganda materials; and in addition to a statue of Bart Cummings he could have had on the steps of Parliament House a statue marking the contribution of the honourable member for Niddrie to parliamentary reform.

At the moment we are at Flemington. The Labor horses — horses called Reform, MPI, Question Time, Family-Friendly Sitting Hours and Petitions — are all in the stalls. The barrier goes up! The horses have all buckled at the knees. They haven't got out of the stalls! One or two, Good Measures and Reforms, have gone a little way down the track, and Ninety Seconds may have some chance because it may allow some people to raise an important point.

**Mr Maclellan** interjected.

**Mr THOMPSON** — The honourable member for Pakenham asks how Points of Order During 90-second Statements will go. How effective will that component be, I wonder.

The Labor Party has effectively failed up to this point. I note that at the moment around the chamber there is a new insignia — it may be the new party insignia handed out by the honourable member for Niddrie — bearing the word 'Yes'. When the matter before the house is voted on later tonight or early tomorrow morning the people who came in here to stand on principle and for parliamentary reform could perhaps wear a 'No' badge. 'No' would mean, 'We are not going to fail to implement the reforms. We will see true and genuine parliamentary reform take place in this chamber'.

What did the Labor Party say about matters of public importance (MPI)? The party said it was an important

issue and promised to follow the example of New South Wales. But how much reform will the MPI procedure actually give us? Just 1 hour a week. And what will we actually have? Something far short even of that. Only on weeks when there are no grievances will there be time for debate on matters of public importance.

What does the Labor Party have to say about question time? In a paper prepared by the honourable member for Broadmeadows we find the noble aspiration to implement the rule of 10 questions or 45 minutes, whichever is the longer. What do we have, however? Half an hour or 10 questions, whichever is the greater. The new members, full of good spirit, have been making their inaugural speeches in this chamber but they are now supporting sessional orders that fall short of the orders on which the Labor Party campaigned.

One could look backwards and say that falling short was Labor's practice in the past. The honourable member for Niddrie, however, had a genuine opportunity to have his statue standing alongside that of Bart Cummings. Cummings used the words 'genuine', 'intelligent' and 'honest' — but that was to describe his horses! Maybe he has a few horses in his stable that could make their way into this place.

The honourable member had a big chance to go down in history as a true parliamentary reformer, but the members of his party have buckled at the stalls. Family-friendly hours — for example, 9.30 a.m. to 7.30 p.m. — would have been an interesting way to work in the chamber. The new members on the outer flanks over there would have been able to go home to see their families and friends and to embark upon a broader lifestyle. What we have, however, is 10 o'clock and 11 o'clock. What about the family-friendly hours experienced last night! And what will happen tonight? Again there is a disparity between promise and performance. I feel sorry for all the people wearing 'Yes' badges on the other side of the house. They had the chance to be part of something really big and important.

Petitions are an important matter. They were referred to by the honourable member for Broadmeadows in the context of Waverley Park. Do we have any information on the fate of that park? In her inaugural speech the honourable member for Bendigo East talked about the importance of being a person of the people. Mention was also made yesterday of the 'people's pollie'. Petitions are important, but despite having promised opportunities to raise petitions and speak to them in Parliament with general discussion for some 40 minutes, the government is no longer offering those

opportunities. Again we see a disparity between promise and performance.

I believe there is a paradise lost — lost by the Labor Party. It had the opportunity. The honourable member for Niddrie in particular could have had his statue alongside a statue of one of the greatest racehorse trainers of all time. I hope the honourable member has had a little time to do some work in his manufacturing industry portfolio, at least enough to keep the skill base of the Victorian economy driving ahead rather than just taking a punt on the outcome. I hope he will have time beyond the racing carnival to turn his attention to some of those matters.

It is with some dismay that I find the house confronting a circumstance where the Independents — perhaps described as the three wise members — may find in this parliamentary session that they have backed the wrong horse.

**Mr PANDAZOPOULOS** (Minister for Gaming) — Let me take this first opportunity to congratulate you, Mr Speaker, on your appointment. I look forward to working with you in this house now that it has such very interesting numbers.

Already we find we have an opposition characterised by double standards. When in government members opposite were happy to force legislation through the house, but in opposition they have become true democrats. For seven years they did not listen, even though they were being hit around the ears in electorates they did not expect to lose. Now, in this place, they are trying to pretend they have been listening and that they want more democracy in Victoria.

The government is providing much more democracy than Victoria has had. Opposition members should listen. Their current protest is clearly an indication of what they intend to do in this place.

Opposition members do not want to cooperate. They do not want to have a cooperative working relationship in Parliament. The government's proposal is well balanced and provides more opportunity for everyone to have a say in Parliament. It provides more opportunities for local members to raise issues in their electorates and allows the Speaker more ability to discipline people who do not behave. Honourable members will remember times in the previous Parliament when, had there been a sin-bin, a number of government members would not have survived in the chamber because of their behaviour; they would have been asked to leave.

The government proposal is reasonable, balanced and much more family-friendly than has been the case in the past. Some members of the opposition have criticised it. They have said that there must be a break at lunchtime because there is no guarantee a vote will not be called for. But that problem can be overcome with cooperation. It happens in the federal Parliament, which again highlights the fact that opposition members do not want to cooperate on what is reasonable. In the end Parliament will not be able to do anything unless there is cooperation, because the government will need the support of opposition parties for legislation in the upper house. Let honourable members think about how we can cooperate; the opportunity to do so is there.

**Mr Perton** interjected.

**Mr PANDAZOPOULOS** — We have been asked to compromise after your record has been lousy for seven years!

The sitting hours can be extended to a minimum of 50 by starting earlier and working through lunch with an agreement that there will be no votes at that time. It can work. Of course there is a provision that if there is no need to sit late on Thursday night the adjournment debate can commence at 4.30 p.m. One would think that is reasonable. It will allow us to do our jobs. Country members who leave earlier when there is no business on a Thursday night can see their families, and those from the urban fringe electorates can do so as well. It is a good balance.

One thing that particularly interests me is that the new sessional orders will provide more opportunity for genuine questions. Question time will run for a minimum of 30 minutes and will allow for 10 questions.

**An Opposition Member** — How many?

**Mr PANDAZOPOULOS** — Ten questions and a minimum of 30 minutes, something that has not been seen in this place for many years. It is what the previous government could have had, and question time would have operated better as a result. The former government would have listened more closely, because the extra time would have provided opportunities for more questions. The Labor government gives the commitment that it will provide proper answers, unlike the filibustering of the previous government when the tail-enders came in to flesh out the time and take up question time. That practice denied the opposition opportunities to ask questions because the long answers its members gave, on occasions lasting from 7 to 9 minutes, left time to ask only two questions. The

government is committed to making question time much more reasonable for the opposition and the government.

The opposition will be able to do something that was not possible when it was in government. The opposition will be able to raise matters of concern, matters about their electorates. That is the great thing about the proposal to allow time for members' statements. A look at the records of some of the members of Parliament when they were in government during the past seven years shows that they hardly raised issues relating to their electorates, and why? The opportunity was not made available to them because there was no opportunity for members' statements to be made and because the house hardly ever sat.

Honourable members will now be able to raise important local issues, whether about sets of traffic lights needed somewhere or about school capital works. Honourable members can raise that sort of stuff in 90 seconds — in the previous Parliament the honourable member for Keilor was very good at saying what he had to say about his electorate in only 45 seconds at the end of the adjournment debate! Honourable members can get their comments across on issues that are important to their electorates in the 90-second member statements. They are extremely important.

Petitions provide another opportunity for backbenchers to raise issues of concern in addition to those from their electorates. One can relay important information to Parliament on topics such as AFL Park — many petitions have been presented about that proposal. If an honourable member has a petition with 35 000 signatures he or she can present it 100 signatures at a time to keep reminding Parliament why it is important. One does not have to leave a petition for the Clerk to read out; one has a choice. One can say, 'I want to make a statement about why that petition is important'. It may be about a matter in one's electorate or something one strongly believes in.

Who could criticise that? The only people who can are those who have run Victoria for the past seven years, who did not in their minds make a commitment to having an effective and proper debating chamber but instead concentrated on maintaining government control and denying opportunities to the minority parties. Those times are changing. Matters of public importance will be able to be discussed regularly, and under the government's proposal they will not need to be items of general business. Members of the government know what it was like — the mad scrambling that took place.

The proposal will make things easier for the opposition. It will make it easier to raise important issues that are contemporary and relevant. The procedure will be much better than the system of general business items that existed in the past. One could not raise matters because what was of public importance was very narrowly defined. The matter had to be current — how does one get a definition of what is current? As a result there was always a mad scramble the day before, increasing the workload of the Clerks and trying to ensure that the item for debate fitted into the category of being current.

There were all sorts of previous Speaker's rulings to indicate what the public would consider a current debate, because in effect the Speaker did not consider the items to be current. Therefore trying to get debate going about ambulance contracts, even though the issue was ongoing, gave rise to rulings that they were not current matters. The proposed government reform is much more reasonable, and I cannot understand why opposition members would criticise something that will make things fairer for them — certainly much fairer than the situation for Labor when it was in opposition.

If the chamber agrees to the proposed sessional orders I am sure that over time the opposition members will realise that all this was about the early days of chest-beating — they are saying, 'We have lost government. We know we have to do it tough. We know we were not listening to people or running Parliament properly; we were just the majority trying to control everyone else, rubber-stamping things'. Honourable members do not need to do that; the orders will be to the benefit of the opposition as well.

I am particularly interested to see order in the house. One of the frustrating things I saw in my seven-odd years in Parliament was the difficulty the Speaker has in trying to discipline members who are deliberately flouting the Chair. They are not necessarily overstepping the mark where they need to be named, because no-one wants to reach the stage where some people have to be named in order to be thrown out. All that is necessary is to say, 'You are getting unruly. You have had a warning. We do not want to name you, but there is a mechanism available to the Speaker to ask for you to be removed from the chamber'. There have been many occasions when the previous Labor opposition thought the honourable member for Mordialloc should have been asked to leave, as should the honourable member for Monbulk or the former member for Tullamarine — he was asked to leave by the voters of Tullamarine. Certainly more order in the house would result in Parliament receiving greater respect from the wider community. People in the public gallery — often

school groups — should see that the Speaker can discipline people and ask for them to be removed without having to resort to the final measure of naming them, otherwise children in the gallery will think that such behaviour is typical for the people running the state. Parliament is our legislature, something that people are supposed to look up to, but they will not do so if members of Parliament act like school children, disregard warnings from the Speaker and keep on yelling and screaming. On that issue alone the sessional orders should be supported.

Those are the highlights of what I wanted to say. For the sake of cooperation I will not take up the full 30 minutes but will give other honourable members the opportunity to talk about sessional orders as well. I hope commonsense will prevail and that opposition members will support the motion.

**Mr PERTON** (Doncaster) — The minister's contribution is odd. This is a minister who says that there ought to be a new spirit of cooperation in the house, yet the government has put new sessional orders to us and made no compromise, given no acceptance of any input from the opposition. I find that extraordinary.

The second thing I find extraordinary is the cant and hypocrisy of honourable members on the government side. They say, 'You were really bad when you were in government'.

As I look around the chamber I see that you, Mr Acting Speaker, the Opposition Whip and I are the only people who were in the Parliament of 1988 to 1992. Members of the Labor Party would do well to ask Labor Party members who were in Parliament at that time about the treatment of the opposition by the then Labor government. The fact that governments have not given oppositions as much opportunity as they should have in the past is no reason to say that the proposal before us is adequate and that it cannot be made any better than the way it has been drafted. The proposal can be made better in a spirit of cooperation. We are now in an unusual time.

**Mr Cameron** interjected.

**Mr PERTON** — The Minister for Local Government has interjected, but I find it extraordinary that the government has not taken up the suggestion put forward by the opposition. Some deal has been stitched up with the Independents, without any new spirit of cooperation across the Parliament.

The Minister for Local Government was not alive the last time Victoria had a minority government; neither was I. The fact that Victoria has a minority government

and that the opposition holds more seats than the government — —

**Ms Allan** — The partnership holds more seats, not the opposition.

**Mr PERTON** — The Liberal–National partnership holds more seats than the government, and the house is in the extraordinary situation of being controlled by three Independents. The people of Victoria have voted the parties to be lineball. They want to see a new spirit of cooperation in Parliament, and they want Parliament to be used to ensure that the checks and balances on the executive are in place — an executive that most people are surprised to see still in power. I note the smiles on the faces of the ministers and the backbenchers on the other side — they are as surprised as opposition members.

In the spirit of cooperation I will speak on only three issues. The first concerns private members' bills. If one looks at the documents the minority government produced when in opposition — *Restoring Democracy*, *Making Parliament Work* and *Restoring your rights: Labor's democratic guarantee for every Victorian* — and the transcripts of past speeches on sessional orders by government members one sees a commitment to private members' business in every one of them. Every member of Parliament should have the right to speak from his or her conscience, yet the proposed sessional orders make no provision for private members' bills to be introduced. The government has put forward the argument that no private members' bill was debated during the last parliamentary session. The government is creating a situation in which no private member's bill will be debated unless it is with the agreement of government. That is nonsense. A private member may as well introduce his or her bill as a government bill. It will not be a private member's bill if its introduction requires the consent of the Premier, and presumably the consent of the Independents.

What happens if an avant-garde member of Parliament wishes to introduce a bill as a matter of high conscience but the Premier does not agree with it? What happens if a member of the Premier's own party wants to bring in a bill on voluntary euthanasia or on property rights for gay couples but the Premier does not agree? None of the members of his party will be able to exercise his or her conscience by way of a private member's bill; nor will the Independents or members on this side of the house.

The government has the cheek to say the proposal is better and that it might agree to a private member's bill.

**Mr Cameron** — Isn't it better?

**Mr PERTON** — No, it is not. How is it better for private members' bills? The minister does not even have the discipline to act like a minister at the table.

The second point I wish to raise is important. When I look around the chamber I do not see many Labor Party members who have had any experience on parliamentary committees, particularly committees that deal with the scrutiny of bills and subordinate legislation. Subordinate legislation is made by the government and its agencies under a power delegated by Parliament. In the past one of the most important features of Parliament has been the right of a subordinate legislation committee and individual members to put forward motions to disallow subordinate legislation.

A good suggestion has been put forward in the opposition's amendments. Proposed sessional order CC in the document entitled 'New sessional orders' and circulated on behalf of the opposition provides for the subordinate legislation committee or any member of Parliament to be able to put forward a motion to repeal, alter or amend subordinate legislation. What is wrong with having that precedent? What is wrong with giving voice in the sessional orders to what was a tradition of the Parliament? It would show a deal of respect for the all-party work that has been done on subordinate legislation.

The Minister for Local Government asked whether the proposed sessional orders are better than the previous ones. Yes, they are better, but why is it that we cannot get the provisions for subordinate legislation right? Why is that we cannot allow an honourable member such as the honourable member for Bendigo East, who may wish to represent the mining interests in her electorate and dispute a piece of subordinate legislation introduced by her party, to introduce a private member's bill? The honourable member for Coburg, with his expertise in multimedia, will be dealing with a minister and a parliamentary secretary with little expertise in multimedia, and he may want to raise certain matters by way of a private member's bill.

More importantly, the honourable member for Gippsland East represents the interests of foresters and other people involved in primary industry who are subject not only to primary legislation but to subordinate legislation. Most of the rules that apply to constituents come from regulations. The opposition has proposed sessional order CC, and the constituents of government members would want them to vote for it, so why will they not do so?

The opposition's amendment is reasonable, and it gives voice to what Victorians want — a Parliament that will bring the executive to account when necessary.

I ask the Premier, who is sitting in the chamber and who has been in politics long enough to understand the point, why we cannot enable the Parliament to exercise control over the executive's use of subordinate legislation.

**Mr Bracks** — You had seven years to do it.

**Mr PERTON** — The Premier does not want to go forward. He has power because of an agreement that he thinks binds the Independents, and he is not prepared to modify that agreement.

The government's proposed sessional order 14 states:

Notwithstanding the provisions of these sessional orders, general business notices of motion and orders of the day may, at the discretion of the government, be called on in substitution of a discussion of a matter of public importance pursuant to sessional order 9.

How will you deal with that, Mr Acting Speaker? What is an exercise of government discretion? Does it mean that the Premier will stand up and say, 'I have had a bad night. I do not want to put up with opposition or Independent business today. I do not want to put up with private members' business.'? It is nonsense.

I have had some discussions with the Independents on this issue, and one of them said to me, 'Well, we don't need everything on paper. We are prepared to trust these people on this'. There is no need to have a trust relationship on this issue. If we follow the advice of the former Leader of the Opposition, Steve Bracks, outlined in *Restoring Your Rights*, there is no room for removing the rights of private members to debate their business on Wednesdays, and there is no reason to include in paragraph 14 the words 'at the discretion of the government'.

As I understand it, the Independents say they will vote for this proposal and trust the government on its performance. If the government does not live up to that trust the Independents may join with the opposition in repealing that sessional order. I submit that we will have to keep a very close eye on the operation of that provision because in failing to cooperate with the opposition, in failing to accept even one of its amendments, and in failing to accept its minimalist position on subordinate legislation the government has proved itself to be drunk with power on the basis of a charter signed with the Independents. It is up to the Independents, isn't it? Will they let this government ride roughshod over the rights of Parliament? Will they

accept the argument that because it is a little bit better we cannot go further and get it right?

**Mr Cameron** interjected.

**Mr PERTON** — You are a very stupid man. You were a very stupid lawyer and you are a very stupid minister. The case does not go down.

**Mr Cameron** interjected.

**Mr PERTON** — Well, why don't you accept clause CC? I am sorry, Mr Speaker, but the minister interjects inanely, and is not prepared — —

**Mr Bracks** — On a point of order, Mr Speaker, the honourable member for Doncaster is not addressing the Chair and is addressing the minister by a personal acknowledgment. I ask you, Sir, to direct him to address the Chair. He should know better as he was an Acting Speaker in the past. He should uphold the forms of the house.

**The SPEAKER** — Order! I uphold the point of order. I remind the honourable member for Doncaster that debate across the chamber is not allowed and that he should direct his remarks through the Chair.

**Mr PERTON** — Mr Speaker, I have concluded my remarks.

**Mr CARLI** (Coburg) — Mr Speaker, I congratulate you on being confirmed as Speaker of this house and look forward to working with you in this Parliament.

Firstly, the proposed sessional orders demonstrate considerable goodwill by the government. As members of a minority government we realise that we need the support of the Independents, but in many cases we will also be seeking the support of the opposition.

Secondly, we have to ask why we have arrived at these sessional orders. I thank the honourable member for Doncaster for acknowledging that they are considerably better than the sessional orders that applied in the previous Parliament. We have arrived at these sessional orders because they are better and because they demonstrate goodwill. The previous Parliament was badly managed and did not provide opportunities for the Independents and the then opposition to debate matters of importance to them. That is why we have arrived at these sessional orders. The Labor opposition came up with models of restoring democracy and making the Parliament work. The Independents, through their charter, wanted to improve sessional orders, which is what the government's proposal is about. It is also about goodwill.

The Minister for Transport presented the proposed sessional orders to both the Independents and the opposition parties, and that demonstrated his goodwill and that of the government. What do the proposed sessional orders demonstrate? They demonstrate a number of improvements. Firstly, they are about the good management of the business of the house, unlike the bad management under the previous Parliament. There will be considerably more opportunities for members to raise matters, unlike the abuse and lack of debate that was characteristic of the previous Parliament. The opposition and the Independents will have more opportunities to join the debate. Once members of the opposition have done with beating their chests they will realise these are better sessional orders which will enable them to work in a more cooperative house. In that sense, the workings of the Parliament will be improved.

When drafting the sessional orders the government was influenced by a number of sources — that is, its own documents and thoughts on how to make the Parliament better, and the charter of the Independents. We must give enormous credit to the Independents. They made the issue of sessional orders important and a primary concern for all Victorians. They certainly put it on the political agenda. Victorians now know the failings of the previous Parliament, of which I was a member, and they demand from us major improvements, which the proposed sessional orders provide.

The proposed sessional orders demonstrate a genuine commitment to improve the workings of the house, its productivity and its conduct. Measures such as the sin-bin will ensure better behaviour in the house than was the case during the last Parliament.

As I said, the proposed sessional orders were provided to both the Independents and the opposition. They are true to the Independents charter. It is clear that the requirements contained in paragraph 2.2 of that charter have been met. One requirement of the charter is for an improved question time. Honourable members will recall what question time was like — the house never dealt with 10 questions in 30 minutes.

Other requirements of the Independents are about ensuring a minimum number of days, a minimum number of questions in question time and opportunities for debate on private members' bills and petitions. It is incredibly frustrating when major petitions are presented and honourable members have no opportunity to debate them. As an example, I was involved in organising a petition defending the independence of the Auditor-General. The petition

contained thousands of names and was laid before the house, but honourable members never had the opportunity to adequately debate the concerns of those Victorians who signed the petition. The proposed sessional orders represent a major improvement with opportunities being provided for petitions to be debated. They also provide for 90-second statements, which I have seen at work in the federal Parliament.

**The SPEAKER** — Order! The Minister for Transport should know better. I remind honourable members that they must not cross between the member speaking and the chair.

**Mr CARLI** — The 90-second member speeches are very useful because, as honourable members know, there are always issues of concern in our electorates that members want to bring before the Parliament and get on the public record. Rarely do we have the opportunity to present them other than during the adjournment debate where members are restricted to raising matters within the jurisdiction of particular ministers. One can say a lot in 90 seconds; it is a great opportunity for members. Honourable members will have 2½ hours once a week to debate them. It will give all members in this Parliament an opportunity to debate serious questions.

I experienced the farce that occurred during the previous Parliament when the then opposition attempted to debate issues of public importance on Wednesdays. Often there were narrow interpretations about the timing of when members could raise issues and whether they were of public importance. The proposed sessional orders will give all members of the house an opportunity to raise issues. That will lead to a more open and transparent Parliament, which is part of the Bracks government agenda. It wants a more open government; it wants to ensure that the Auditor-General is scrutinising the government and that freedom of information provisions are not curtailed. The proposed sessional orders fit very nicely with the Independents charter. They also fit very nicely with the government's reform agenda by making the government more accountable and the executive available for greater scrutiny.

In conclusion, the proposed sessional orders are a major improvement on the sessional orders of the previous Parliament, and I thank the honourable member for Doncaster for acknowledging that they are.

**Sitting suspended 6.30 p.m. until 8.05 p.m.**

**Mr SMITH** (Glen Waverley) — The debate on the sessional orders has been going all day. At times it has

been esoteric and at other times it has been filled with emotion. Honourable members have heard a lot of detail on various aspects of the proposals, but one thing that has not been stressed enough is that the hours will make a difference to the logistics of running this place.

The user-friendly hours will be from 9.30 a.m. until perhaps 11.00 p.m., will include sitting through the normal lunch break and will mean an extra 1½ hours of work for staff. I am sure that when the government proposed the new measures it did not realise just how many extra staff would be needed. Mr Speaker, you will be affected by the matter when it comes to your attention later. The fascinating aspect is that no consideration has been given to the financial implications, and the Parliament appropriation act does not provide finance for the extra parliamentary staff that will be needed.

I have done a check. It seems that under the proposed hours Hansard staff will work for 15 hours a day without a break. I am not knocking the break, and neither is Hansard. I am pointing out to the government that Hansard will need an extra six staff to enable it to continue its tradition of having reporters in the box for 10-minute turns. Even if Hansard were given six extra staff there is nowhere downstairs for them to work. I hope the Minister for Transport is listening to this; I am talking about Hansard staff. The work would probably have to be contracted out. In other words, Hansard would have to pay for it and an extra appropriation for Parliament would be necessary. Currently about 30 people work at Hansard, and another six people will be required if the sessional orders go through.

Two further factors are involved in running Parliament. I think the honourable member for Gippsland West has also mentioned them. One is the Legislative Assembly Clerks, the people who run the house. Many honourable members saw what happened in 1992 when extra strain was put on staff members. The Clerk at the time, John Little, was carted out of here with heart problems and subsequently had to take an early retirement.

Some years ago Phil Mithen, the predecessor to the current Clerk, had a heart attack while he was at work. If the Deputy Clerk had not rushed him to St Vincent's Hospital we would have had a death on our hands. The strain on the staff is incredible. It is all well and good for honourable members to blithely say they will do this or that, but unless proper consideration is given to the conditions for staff more health problems will develop. When the chandeliers were put in the chamber approximately 10 years ago, it affected the way the

air-circulation system worked, particularly in hot weather.

**Mr Hulls** interjected.

**Mr SMITH** — You should listen to this.

The air-circulation system was blocked, as you, Mr Speaker, would remember. Often changes are made to the house without the logistics being properly thought through. The health problems suffered by John Little and Phil Mithen can be attributed in part to the lack of fresh air in the chamber. The fans are operating at the moment, but they do not adequately circulate the air.

Approximately 25 staff work in the Legislative Assembly, and we must ensure that adequate resources are made available so they can perform their jobs properly without having their health put at risk. When honourable members feel the need for a break we can get up and walk out of the chamber, but the staff must sit here. Unless provision is made for them we will be seen to be completely and utterly irresponsible.

I turn to the family-friendly hours we have been hearing about. It is a shame the honourable member for Altona is not here. If the house sits from 9.30 a.m. until 11.00 p.m. — which does not include the nights we sit until midnight — we will be sitting an extra 1½ hours a day. I do not have a problem with that. I have an eight-year-old daughter who joined me for dinner this evening, but it sometimes seems as though certain people have a monopoly on family life. It is irritating to most of us that the government has not paid attention to family life. The extra 1½ hours makes a mockery of the Independents' belief that they are getting a good deal in the area of family-friendly hours.

I have no difficulty with some of the other sessional orders. The 20-minute rule, which the partnership opposition considered on many occasions, is a good idea because 20 minutes should be sufficient for the average debate. As the proponents of that idea have stated previously, if you cannot say what you want to say in 20 minutes you should give it away.

*Honourable members interjecting.*

**Mr SMITH** — The other idea I like is the notion of the sin-bin. If I were in the Chair at the moment I would have half a dozen honourable members in the sin-bin right now.

**The SPEAKER** — Order! I concur with the honourable member for Glen Waverley. I ask honourable members to cease audible conversations

that are loud enough to make it hard for the Chair to hear the honourable member's contribution.

**Mr SMITH** — I turn to the issue of the 90-second statements. Ten statements can be made in the 15 minutes provided. I have no objection to that arrangement, because it will enable backbench members on both sides of the house to contribute, and anything that gets people up in the house is a good thing.

The proposal on petitions is hypocritical. The incredibly long speeches of the Attorney-General and various other honourable members when in opposition about what would happen with petitions were beyond belief. What have we got in the government's proposal? It does not provide for what members of the government promised they would do. I cannot see the value in what is proposed because in many cases members present petitions they do not agree with. As the former Government Whip I put in petitions I did not agree with, and that is part of the job. As the current Government Whip knows, you put in petitions on issues that are not yours. To go on for hours trumpeting about what will be done about petitions and then not put forward the appropriate sessional orders is hypocritical, as are the proposals on private members' bills and family-friendly hours.

New sessional orders are before the house, and many opposition members have spoken about procedures that are wrong or could be improved. We should think about such matters as deeply as we can, particularly the extended hours and the proposal to sit through the dinner break. The parliamentary appropriation bill must make more money available so that extra staff can be employed. Otherwise we will put such strain on our staff that we will have another John Little or Phil Mithen situation on our hands. We do not want that to occur, and we do not want Hansard staff to be unable to take meal breaks. If they are not getting breaks we must bring extra people in. I put this to the government during the suspension of the sitting and the response was that it is a problem for the Speaker and others. I know, Mr Speaker, that you will take the issue on board because it is in the interests of the health of our staff that we look carefully at the proposals.

Unless government members and the Independents have second thoughts most of the proposed sessional orders will come into force. Members of the opposition want to let the government know in no uncertain terms that we are not happy with the proposed sessional orders. I ask government members to consider the health of staff and ensure that we get it right.

**Mr LANGDON** (Ivanhoe) — As Opposition Whip it was my lot in life to always follow the Government Whip. I see nothing has changed, even though we have changed sides!

I congratulate you, Mr Speaker, on your appointment, and I congratulate your loyal and capable deputy on her appointment.

I have listened to the contributions of opposition members on the proposed sessional orders, and I find their hypocrisy absolutely amazing. I experienced in this place only three and a half of the seven years of tyrannical Kennett government, which did everything it wanted and limited the opposition as much as possible. The honourable member for Doncaster accurately summed up the situation when he said openly to the house prior to the dinner adjournment that the government proposals are more reasonable than the opposition proposals.

**Mr Perton** interjected.

**Mr LANGDON** — You did say that, and they are — far more reasonable. I agree with the honourable member. These arrangements are more generous to the opposition than the arrangements the Labor Party was forced to contend with, which illustrates the hypocrisy of opposition members.

I was involved in some of the discussions prior to the sessional orders coming to the house, and I was amazed that the National Party did not become actively involved. The Liberal and National parties have not formed a coalition, but a partnership, yet members of the National Party ceded all negotiation rights to the Liberal Party, which has been allowed to do basically everything. Although no formal agreement was reached during the discussions I was privy to, matters were certainly coming to what I thought was a reasonable conclusion, but clearly people have been appointed to different positions and want to show their mettle to the house. I refer in particular to the honourable member for Monbulk, who went on and on for countless hours. If the opposition was worried about staff working overtime, it should have brought him into line. I am not sure of the exact time the honourable member took, but I think he waffled on for 2 or even 3 hours — and it was pure and utter waffle.

The government's proposed sessional orders are good and will benefit the house. They will give the opposition a fair opportunity — far more opportunity than Labor had in opposition. I recall on many occasions trying to count the number of questions asked during question time, particularly on Wednesdays and

Thursdays. The Kennett government had a great deal of pleasure in organising, particularly at about the 20-minute mark, a question to be asked of the then Minister for Police and Emergency Services, who had a great ability to waffle on. He was constantly brought into line by the Speaker, amid cries of 'Mercy, mercy!' from the opposition benches — meaning, 'Please don't do it to us'. That is how cruel the coalition government was. The then opposition had to put up with that minister constantly waffling on, obviously to take up the time allocated for questions.

When the new government proposes a most reasonable process honourable members who were previously in government say there should be a minimum of 30 minutes for question time. The former government allocated a maximum of 30 minutes on two days of the week and 45 minutes on Tuesdays. The government proposes a minimum of 30 minutes, with 10 questions being asked. In other words, if the 30-minute mark is reached and only five questions have been asked, question time will be extended — it may even go for an hour.

The opposition has totally ignored that aspect and complains, purely on the basis of figures, that the government is allowing only 30 minutes for question time. That is foolish. The opposition is abusing the government's offer to make the sessional orders more reasonable. Opposition members do not care. They did not care when they were in government, and clearly that is why they are now sitting on the opposition benches. They did not care for the electorate or for democracy, and that is what has brought them undone. Opposition members have not learnt anything. They come into the house saying they have learnt, but today's debate shows they have learnt nothing.

The previous speaker referred to the appropriation bill and how extended sittings increase costs. When in government opposition members had no objection to sitting long hours constantly; they would waste time, bulldoze things through when they could and leave the then opposition with very few ways of making a point, one of which was to use the then sessional orders to the best of its ability. When in opposition we got wise and used the sessional orders very well. Opposition members are worried that they will not be able to do the same. They are concerned that even with the generous sessional orders the government has proposed they will not be able to cope as an opposition. That is unfortunate for them, and I wish them well in their endeavours.

Opposition members have also criticised the proposed 90-second statements. They suggested that proposal would not work. Why won't it work? The federal

Parliament does it. I understand the federal coalition government believes the system works exceptionally well.

**Mr Perton** interjected.

**Mr LANGDON** — I am sure the honourable member can get more than his share of coaching.

**Mr Perton** interjected.

**Mr LANGDON** — In this house one learns to say a fair bit in 90 seconds. I remember vividly that in a grievance debate I got in at least two sentences in 15 seconds, so in 90 seconds I might get in at least two paragraphs!

*Honourable members interjecting.*

**Mr LANGDON** — For the benefit of new members I point out that speaking after dinner — today's debate is a fine example — is always fraught with jeopardy, from both sides of the house! If you do not want honourable members to listen to your contribution or if you want to attract a fair amount of interjection, I suggest that you speak after dinner and enjoy the show.

Question time is more serious, and so it should be. The government is allowing honourable members 10 questions. When those questions are shared around, the opposition will be able to ask at least 5 questions a day, which amounts to 15 a week. I have not examined the statistics for the past three and a half years, but I would be extremely surprised — —

**Mr Carli** interjected.

**Mr LANGDON** — The honourable member for Coburg suggests it was never 15. Indeed, I suspect it was nowhere near 15.

Clearly the government is being quite open and fair with question time, which often presents the greatest opportunity for the opposition to score points or try to bring down a government. That is why it is such a theatre, why we have cameras here and why we all play up. Let's face it, without the cameras honourable members would not play up half as much as they do.

The proposed sessional orders will provide the opportunity for more questions without notice to be asked and allow for 90-second statements, which will enable many members to make brief points to the house. The government is also reviewing the procedure for the presentation of petitions, which is fair and reasonable. I recall in the last week of the last Parliament that I brought in about two petitions a

day — it was almost habit forming. With the new arrangement and the review it may be possible to do far more practical things with petitions. Previously they were just tabled and all honourable members could do was tell the local press that they had tabled the petitions. Apart from that there was very little honourable members could do with petitions.

I commend the government's proposed sessional orders to the house. I recognise that one or two problems need to be worked through, and the government will do that. I know the Department of Parliamentary Debates is concerned, but I am sure arrangements can be made for the recording of proceedings and Parliament can come out of this with better and more equitable arrangements. The government's proposals will reduce the need for such late-night sittings. I do not particularly like to sit here until 3.00 a.m. or 4.00 a.m. I do not think anyone does, particularly on Thursday or Friday mornings. Obviously the government's proposals will result in better arrangements. The government has promised to limit its contributions to 10 minutes, so I will conclude my remarks.

**Mr JASPER** (Murray Valley) — I take this opportunity, firstly, of congratulating you, Mr Speaker, on your appointment to that august position in the Legislative Assembly.

I am pleased to join the debate on sessional orders. I have always strongly supported the traditions of this Parliament, particularly those developed in the house over a long period.

**Mr Hamilton** interjected.

**Mr JASPER** — I am interested in the interjection from the Minister for Agriculture. He has been a member of the house for a fairly long period, as have I, and I am sure he can remember the arrangements prior to 1992. Most honourable members can recall only what has occurred between 1992 and 1999, but the minister has a short memory if he does not know what occurred between 1982 and 1992. I shall remind him of that.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! There is too much audible conversation in the chamber. If honourable members wish to speak, they should do so quietly so that the house can hear the contribution of the honourable member for Murray Valley.

**Mr JASPER** — I have been a member of the Standing Orders Committee for eight years, and that committee did not meet once in the life of the last

Parliament. That was a great disappointment to me because many issues could have been raised and resolved regarding the effective operation of Parliament, particularly the Legislative Assembly. Despite my representations to the former Speaker on a number of occasions, he was not prepared to ensure that the Standing Orders Committee met. I believe that was to the detriment of members of the house.

I certainly agree that changes have to be made, and I have read with a great deal of interest the sessional orders prepared and presented to the house by the government and the amendments prepared and presented to the house by the honourable member for Monbulk. I was also interested to hear comments from members such as the Minister for Agriculture who referred to — he did not use this word, but government members have used it on many occasions — the hypocrisy of the now opposition, which was in government from 1992 to 1999.

I remind the house that the Labor Party was in power from 1982 to 1992. Standing orders and sessional orders that operated over those 10 years assisted in the deterioration of parliamentary debate which has continued to the present time. There is little debate on many issues that come before the Parliament. I was frustrated when bills that were the subject of agreement between the Leader of the House and the manager of opposition business had not been debated when the house adjourned on Thursday afternoons. They were sent to the Legislative Council and amendments were often sent back to the lower house after debate in another place.

**The DEPUTY SPEAKER** — Order! I ask all honourable members to lower their voices. The poor honourable member for Murray Valley is screaming to be heard. If honourable members, including the Minister for Agriculture, wish to have noisy conversations they are welcome to converse elsewhere. If honourable members wish to have a conversation in the chamber they should lower their voices; or perhaps they might listen to the honourable member for Murray Valley!

**Mr JASPER** — That is the first time I have been called a poor member — I take issue with that. I will continue to be heard because I will raise the volume to ensure that those who wish to listen will hear me.

Earlier speakers spoke about notices of motion, adjournments, questions on notice and other aspects of the operation of the Parliament. I listened particularly to comments made by many government members when they talked about family-friendly hours. The Minister

for Post Compulsory Education, Training and Employment used that term during debate both in the autumn sessional period and today.

I remind honourable members of what has happened this week. As an example, I will describe my own experiences. On Wednesday morning I rose at 5.00 a.m., left my home town of Rutherglen at 6.00 a.m. and after a 3-hour drive I arrived at Parliament House at 9.00 a.m. I attended meetings throughout the day from 9.15 a.m. until Parliament adjourned at 26 minutes past 1 the next morning. I got into bed at approximately 2.00 a.m. and rose at 8.00 a.m. to be back at Parliament House by 9.00 a.m. The house will probably sit until 11 or 12 o'clock this evening. I will then have a 3-hour drive back to Rutherglen to ensure that I am available in my electorate tomorrow morning to keep appointments.

Most parliamentarians are city based and have no true understanding of the difficulties facing country members. Honourable members talk about family-friendly hours. For example, the Minister for Post Compulsory Education, Training and Employment said that Parliament should rise at 6.30 p.m. Country members are down here for three days. I strongly support the proposed sitting times for Tuesday, Wednesday and Thursday, but the suggestion that Parliament adjourn at 6.30 on Tuesday and Wednesday evenings is outrageous.

I support the proposed commencing time of 9.30 a.m. and the Parliament sitting on Tuesday and Wednesday until 10.00 p.m. and then going on to the adjournment debate — and a little longer if that is necessary. I support many of the amendments proposed by the government to the previous sessional orders. There is no doubt that many of them need to be assessed on the basis of the sincerity with which they are being put forward. Comments made by opposition members and the amendments put forward by the honourable member for Monbulk also need to be assessed.

The proposed sessional orders have no reference to the hour at which Parliament will rise on Thursday. The sessional orders should provide that business of the house will conclude at 4.00 p.m. or 4.30 p.m., to be followed by the adjournment debate, so that country members can travel home in the evening. Country members cannot attend functions in their electorates on Thursday evenings as city members can but we can get back on that evening. I have 3 hours to drive, but many members have further than that to travel. The situation of country members should be considered.

As a longstanding member I recall that years ago we met on Tuesdays and Wednesdays at 2.00 p.m. The Wednesday starting time was brought forward to 12 noon to allow parliamentary committees to meet on Wednesday mornings. Although I am not suggesting a return to that program, the committee system worked well. Most committees met on Wednesday morning and the house sat at 12 noon. Country members are now often forced to come to Melbourne on Monday and stay until Friday because of scheduled committee meetings. I understand strong pressure is being applied to ensure that committee meetings are held on Monday afternoons.

I believe in servicing my electorate to the best of my ability. Although honourable members have a responsibility to represent their electorates in Parliament, they also have a responsibility to represent themselves in their electorates. I approve of Parliament sitting on Tuesday, Wednesday and Thursday. I agree that the proposed sessional orders are reasonable, apart from late-evening sittings on Thursday.

It is often forgotten that country members are away from their families for three or four days a week. City members can be with their families overnight and for breakfast. Country members are often criticised because we wish to be domiciled at city units to be with our wives and families when they are in Melbourne.

I totally oppose Parliament sitting through the luncheon period. If the house sits from 9.30 in the morning, honourable members and staff, particularly Hansard staff, need a break between 1.00 p.m. and 2.00 p.m. It is in all our interests to have a break and a meal. As indicated by several opposition members, divisions may be called despite the information contained in the proposed sessional orders. That situation should be addressed.

Petitions are important to Parliament generally and particularly to the honourable member who presents them. In 1976 when I entered Parliament the Liberal Party formed government. Petitions were read and commented on by members. Bruce Evans, the honourable member for Gippsland East at the time, sat next to me. After I presented my first petition I asked him what happened next. He replied, 'Nothing'. That was precisely correct: a petition was presented to Parliament and nothing happened. That situation has improved. A petition is sent to the minister and there is usually an acknowledgment that it has been received and will be addressed.

While the Clerk reads the petitions, in typical fashion members do not listen to them.

**Mr Hamilton** interjected.

**Mr JASPER** — I take up the interjection of the Minister for Agriculture. There is no doubt that the member who presents the petition listens intently.

Changes have been made to allow a member to have a petition listed on the notice paper for the next day of meeting, but a petition is not debated. It is important that after a petition is presented to the house it is debated if the member considers that necessary.

I take exception also to the proposal relating to condolences in the government's sessional order 12. When a former member of the Parliament dies, no matter what position that member held, that ought to be recognised appropriately. The scant recognition proposed in the government's sessional orders is not appropriate for all members, including those who have been in Parliament for 20, 30 or 40 years and those who have had the imprimatur that comes from holding particular positions. It is worth repeating what is proposed by the sessional order providing for the conduct of condolence motions. It states, in part, that condolence motions will be restricted to certain members, including:

... a person who had previous distinguished ministerial service or other distinguished service in Victoria.

The constituents of members who are effective within their electorates would like to think there would be appropriate recognition of that member of Parliament, whether or not he or she had a distinguished record in terms of a position in the government. The government should consider changing that proposed sessional order.

I mention one other matter of great concern that needs to be addressed. I refer particularly to sessional order 11 as proposed by the honourable member for Monbulk, which deals with subordinate legislation and the disallowance of regulations. The government does not mention the matter in its sessional orders, but it needs to be considered.

Those members who have been in the house for any length of time would know of my long association with the former Subordinate Legislation Committee and other committees through the 1980s and 1990s. Not only are the bills that are debated an important part of the running of the Parliament, so also are the regulations that are put in place during the operation of the government and Parliament. Currently the Subordinate Legislation Committee — or whatever the name of that committee's successor may be in the new Parliament — can recommend disallowance of a

regulation. Section 23(2) of the Subordinate Legislation Act provides that:

A statutory rule to which this section applies is disallowed in whole or in part if —

- (a) a notice of a resolution to disallow the statutory rule is given in a house of the Parliament on or before the 18th sitting day of that house after the rule is laid before that house; and
- (b) the resolution is passed by that house on or before the 12th sitting day of that house after the giving of the notice of the resolution.

The key to that is that if the committee recommends disallowance but the Parliament does not deal with it within 12 sitting days, the regulation automatically continues. An individual member of Parliament from any electorate across the state of Victoria, whether an electorate that has an Independent member or even my electorate of Murray Valley, should be able to seek to disallow a regulation, no matter whether it concerns the timber industry, rivers, streams or whatever.

Sessional order 11, as proposed by the honourable member for Monbulk, should be considered by the government, and I seek an assurance from the Attorney-General that it will be considered because it is tremendously important. I would like to think that the Leader of the House will take particular notice of the proposed sessional order, which provides that members be allowed to seek to disallow regulations whose disallowance may be recommended by the Subordinate Legislation Committee but which continue to operate because they have not been dealt with by the house within 12 sitting days. That allows the member to give notice of disallowance. The regulation would need to be dealt with on the next sitting Thursday so that it can be debated and the house can decide whether the disallowance is agreed to.

I conclude my comments in this extensive debate. The sessional orders proposed by the government are a genuine effort to introduce a more effective operation of Parliament and better debate, but it is important that the government take into account the many amendments put forward in good faith by the opposition if it is to have the best possible sessional orders operating in the Parliament.

The Standing Orders Committee should be able to offer advice to assist the house in operating more effectively. I will be interested to hear the government's response to the matters of concern I have raised. I trust the proposals will be examined in the interest of ensuring more effective and better debate in the Parliament.

**Mr NARDELLA** (Melton) — I support the sessional orders moved by the Leader of the House. It is apt that the Opposition Whip talked about chandeliers. The opposition has taken the long road but is finally seeing the light and recognising that there should be a democratic process and fair and reasonable standing and sessional orders providing every parliamentarian with the opportunity to be involved in debate.

Overnight opposition members have become the champions of a fair and democratic process. In the other chamber I used to hear of what happened in the Legislative Assembly. The opposition was disregarded — indeed, treated abysmally — and democracy did not reign. This government does not condone such practices. In structuring the sessional orders the government has gone a long way towards taking into account the roles and responsibilities of all honourable members. It is also putting in place a fairer arrangement by allowing opposition members to have their motions considered and concerns aired in the chamber.

I refer to a couple of things the Deputy Leader of the Opposition mentioned. When she spoke about the standing and sessional orders of the Legislative Council she forgot to mention a number of critical factors. The changes the house is considering today are eminently sensible. They are not revolutionary; they are evolutionary. Honourable members should consider the changes in light of making the chamber work better and ensuring that all honourable members are able to speak freely, openly and fairly about the concerns of their constituents in particular and Victorian society in general.

The limit for question time in the Legislative Council is not 30 minutes — the minimum time proposed under the government's sessional orders — but 20 minutes. Standing order 71A provides:

Prior to questions on notice being answered, members may ask questions without notice, provided that no question without notice shall be asked after the lapse of 20 minutes from the time the President calls on questions unless such time be extended at the discretion of the President.

Although Council members have 20 minutes there is an agreement that 10 questions will be asked. On occasions questions without notice in the upper house have continued for 45 minutes because custom and practice allow that and it is an appropriate way for that chamber to operate.

It is also an appropriate model for sessional order 3. It provides for a minimum of 10 questions and 30 minutes per question time. As was pointed out earlier by the

honourable member for Broadmeadows, it will mean more than another 180 questions without notice can be asked each year by opposition and Independent members. The former government did not implement these sensible changes. It was happy to allow only 30 minutes for question time, although on occasions the then opposition got in two or possibly three questions. I recall being in the gallery when a former minister, the former honourable member for Seymour, turned to the Premier of the day and asked, 'Do you want me to continue? There are still a couple of minutes to go'. The minister was filibustering and taking up time so that the then Labor opposition was not able to ask further questions.

The proposals on statements by members are also eminently sensible. Honourable members either presenting petitions or raising issues to do with their own constituencies will have 90 seconds to speak. Many members in both chambers can fit in a hell of a lot of information in 90 seconds. That change will allow honourable members to put their concerns on the public record. Opposition members have said the changes do not go far enough. They had seven years to implement changes, but they took a shift backwards.

Proposed sessional order 9 deals with matters of public importance. The critical factor in this change is that it will be up to the opposition to decide how it uses the opportunity. The government cannot determine how it should be used. I would like to see an adoption of the Legislative Council model in which opposition and Independent members have an opportunity on Wednesday mornings to debate motions, with one change — that such motions and grievances would be debated on alternate Wednesdays. The system works well in the Legislative Council, but the proposal is a better way of doing things without trying to circumvent or change the way motions to be debated on Wednesday mornings are placed before the house. It is a change for the better that will allow opposition and Independent members to have their say. Honourable members have a responsibility to make sure it works properly.

I turn to the changes to proposed sessional order 10. The sin-bin concept works effectively and is used quite often by the Speaker in federal Parliament. The change will assist the Speaker to handle unruly members if that becomes necessary.

The sessional orders propose limiting speeches in any debate to 20 minutes. Any honourable member who takes longer than 20 minutes to make a point is obviously not saying only what is necessary. In many instances honourable members are obliged for whatever

reason to pad out their speeches to fill the current 30-minute period. It would be much better for honourable members to have their say without unnecessarily taking up the time of the house, thereby allowing others to contribute on important matters.

The proposals for family-friendly hours are eminently sensible. On Thursdays the house will adjourn at around 4 o'clock. I remember back in 1992 Parliament sat for 26 hours nonstop to shove through legislation. The house should not go back to that situation. The government has considered country members in proposing the changes. I am sure honourable members from country electorates such as Seymour, Narracan, Morwell, Ballarat East, Ballarat West, Ripon, Bendigo East, Bendigo West, Gippsland East, Gippsland West and Mildura will agree that the proposed sessional orders will assist them to get back to their families and electorates in time to contribute to their communities.

I agree with the proposed sessional orders.

**Mr STEGGALL** (Swan Hill) — It is a special day when the house debates sessional orders. It happens only once in the life of a Parliament. I hope all honourable members understand the significance of the debate.

The government of the past seven years, of which I was a proud member, has come in for some criticism, but the honourable members who formed that government put up with the strict regime of the Cain years and, to a lesser extent the Kirner years, during which the opposition's participation was kept to a minimum. We have not forgotten those times and in the 1990s we improved the situation for the then opposition. The changes made by the former government resulted in opposition members getting motions on for debate and in debates continuing for reasonable periods. When our side was last in opposition it was rarely able to get such debates up and they did not get past the third minute.

The debate is special because the numbers in Parliament are finely balanced. Honourable members need to realise that in such circumstances their actions and the way the house conducts its business have far more significance than previously. On the whole, the proposed sessional orders are a big improvement on what existed previously. But in the next 3 hours honourable members have an opportunity to make the proposed sessional orders better. I do not agree with the argument put by several ministers and others that because the proposals are better than what existed before we should be thankful and run with them. This is the only occasion in the next three and a half to four

years when such a debate will be available to honourable members.

If the honourable member for Gippsland West has been listening and following the discussion today she should realise that sessional orders will not come back for further debate and that the Independents should consider the opposition's eminently sensible amendments.

In other parliaments, particularly in Westminster, the discretion of the Speaker is far greater than it is here. The house often gets into trouble because lead speakers take an enormous time out of the debate to put their own cases. Many a time a lead speaker has taken an hour and a half, when he or she should have been finished in 20 minutes, to literally fill in time so that others miss out. I hope the Speaker, who I believe will do a good job in the house despite being challenged by the closeness of the numbers, will use his discretion under the standing and sessional orders to ensure members do not waste the time of the house, as honourable members on both sides of the house have been guilty of doing over the past 20 years.

**Mr Hamilton** — Except you, Barry.

**Mr STEGGALL** — I wish the comment of the Minister for Agriculture was true. I know of many occasions when the minister has wasted the time of the house and only once or twice when I have.

Parliament is a special place. Not many people understand its function. Many Victorians and Australians believe Parliament debates and passes government legislation. That is just one of its functions. The sessional orders are designed to ensure that the opposition is able to properly scrutinise legislation, the management of the state and the management of portfolios by ministers.

Each evening during the adjournment debate honourable members elected to this place — all 88 of us — are able to rise and put on the record issues of concern in their electorates and to make the point to ministers, the community and the media. The former government improved the adjournment debate enormously by reducing contributions from 5 to 3 minutes. That successful arrangement has been continued.

Over the years many honourable members have spoken about the introduction of the 90-second statement. Some 11 years ago we tried to get honourable members thinking along those lines. I support the 90-second proposal. I understand the throwaway line of honourable members in criticism of it, that it is a short

and non-answerable statement, but it is important that honourable members learn to use it so they can put on the record issues that are of importance to them and also alert the house, parties, ministers and opposition spokesmen to problems in the community.

The house will vote on a couple of issues shortly. One sessional order concerns question time. The Minister for State and Regional Development referred to the minimum number of questions changing from, say, 350 to 500 over a year. For the 16½ years that I have been a member of this place Parliament has had 45 minutes for question time on Tuesdays. It would be of benefit if the sessional orders allowed that to continue. Parliament is finely balanced, and it is not a big ask from the opposition and the Independents to suggest an extra 15 minutes, or the continuation of the status quo.

I support the concept of three grievance debates per session. In a few minutes honourable members will debate and argue the time limit as they go through the proposed changes to the sessional orders.

I support the sessional order concerning matters of public importance, although I understand it is a watered-down version of what was promised and put forward by the government. Matters of public importance should be debated in Parliament on Tuesdays and Wednesdays. I support the concept that as we get through to Thursday government business becomes more important.

I support the length of speeches being reduced from 30 minutes to 20 minutes. The Speaker has the power, as do all Acting Speakers, to ensure that long, boring and tedious speeches with no meaning are cut short. Speakers do that throughout the commonwealth, particularly in the Westminster Parliament. I hope the Speaker will give consideration to acting on the discretionary power he has to ensure that honourable members do not waste the time of the house with repetitious nonsense, which occasionally occurs.

The other issue of concern to me is proposed sessional order 14. This is not required. It is the stopper, if you like. The government has put it in to ensure that if things do not go according to its wishes it has the power to intervene and stop the debate. In the interests of a properly run Parliament I do not believe the government of the day needs sessional order 14. We will be discussing that later this evening. I hope the Independent members and the Leader of the House will consider some variation to what has been proposed.

Over the next three years there will be many challenges while the Parliament is in such a finely balanced

position. Commonsense needs to prevail on both sides. Tonight honourable members have a rare opportunity to debate the sessional orders in a committee form, and I congratulate the government on that arrangement. It gives the house an opportunity to make a difference and to ensure that Parliament can conduct its business in a way that is beneficial for honourable members and Victorians.

**Mr BATCHELOR** (Minister for Transport) — I acknowledge the contributions to the debate made by honourable members from all sides. In thanking honourable members I hope I include all those who have spoken, because many have contributed to the debate. If I have it wrong I apologise in advance, but if I have it right I congratulate myself most heartily because no-one else will. I thank the Minister for State and Regional Development, the Deputy Leader of the Opposition, the Deputy Premier, the Minister for Post Compulsory Education, Training and Employment, the Attorney-General, the Minister for Gaming, the honourable members for Monbulk, Box Hill, Gippsland West, Berwick, Pakenham, Sandringham, Doncaster, Coburg, Glen Waverley, Ivanhoe, Murray Valley, Melton and Swan Hill.

I appreciate the contributions of those members. The sessional orders debate has been wide ranging, with contributions from frontbench and backbench government members, the opposition leadership team, both parties of the so-called partnership and the Independents.

I hope that is an indication of the way debates will be conducted under the sessional orders, providing an extended opportunity for members of the 54th Parliament to participate rather than being told what to do by the previous austere sessional orders — made even worse by the attitude of the previous government.

Two things determine the quality and extent of debate. One is the set of rules governing the debate. The rules in the sessional orders take elements of good management within the house from previous sessional orders. They also provide an opportunity for the Independents and members of the opposition to engage in political debate and to raise issues, which is a good contribution to democracy. A clear statement of these values at the commencement is important to the incoming government. The government will endeavour to apply them throughout the parliamentary term.

The other determinant of the form of debate in the chamber is attitude. The government's attitude is in stark contradiction to that of the outgoing government. Nothing could be clearer. It is a huge and fundamental

change. The more relaxed and liberal sessional orders being proposed, married with a commitment to open, democratic government and more efficient parliamentary procedure, will protect the interests of all members over the next four years.

The proposed sessional orders provide good procedures for allowing the progress of the government legislative program, for which it has a clear mandate. For the first time they also provide an opportunity for the opposition to initiate and engage in political debate.

All through today we have heard claims from the opposition that the sessional orders will restrict what members can do. But in their heart of hearts members of the opposition know these are more progressive, more liberal and better sessional orders than the former government was prepared to provide in the previous seven years. Many members of the present opposition have approached me in the corridors and acknowledged that these are far better sessional orders than those that previously existed. They will not have the courage to vote according to their convictions. During the course of the parliamentary term I hope they will get a bit of steel in their backbones, because if they do not they will have failed to learn to listen and act in a decent and honourable way, which was fundamentally the cause of the downfall of the previous arrogant, non-caring and non-listening government. The previous government did not and would not listen to what people were saying. Its high-handed, arrogant attitude prevailed in this chamber and in the wider electorate.

At the commencement of its stewardship the government is seeking to say it wants to have a Legislative Assembly that works properly, allowing the government to get its legislation through but also providing an opportunity to initiate debate on current issues. The proposed sessional orders do that.

Too many points have been raised in response for me to summarise them all. In particular I address the lies and deliberate misinterpretations related to proposed sessional order 14. Under the old regime a private member's bill, a disallowance motion or a recommendation from a committee report could be put onto the green business paper, but there was never an opportunity to debate it. As the opposition did yesterday when it moved a raft of general business motions, the former government made sure the bill could not progress further. In the past the Liberal Party jammed the general business ledger full of motions that would prevent any other motions of a contemporary nature, private members' bills or disallowance motions from ever moving forward.

Can any member name one instance when the former government allowed a disallowance motion or a private member's bill to come through? No, because there was none.

The former Minister for Planning is present in the chamber. During the last term of government he introduced a regime under which changes to the Melbourne City Link Act and the concession deed could be dealt with by either house of Parliament by way of a disallowance motion. It would take six sitting days to get a motion from the bottom of the paper to the top and to deal with it, but the government of the day never allowed that to happen. My motions have languished on the notice paper year after year.

For those members of Parliament to claim that they had purity on their side and a process in place that allowed for private members' bills and dissolution motions to be progressed is the height of hypocrisy.

Opposition members said one after the other that they knew it was not true. The government is proposing in sessional order 14 a process that allows those matters to come forward because it will not rely on the convention that the opposition abused yesterday by stacking the notice paper with general business motions so that subsequent motions cannot get up.

The government has indicated that under sessional order 14 it will provide a mechanism for motions to jump the queue on the business paper, as it were, so that a matter can be debated, but opposition members do not support that process. Notwithstanding that, the government has both provided a mechanism in sessional orders to enable that to take place and given a commitment that if the government is approached and agreement can be reached it will be allowed.

**Mr Doyle** interjected.

**Mr BATCHELOR** — If the honourable member for Malvern has a rational exceptional reason.

**Mr Doyle** — Come clean.

**Mr BATCHELOR** — The honourable member for Malvern was one of those in the previous government who put in place a set of institutional arrangements that prevented such debates. He was one who insisted that private members' bills could not get up. They never did. Yesterday opposition members used the general business mechanism to prevent it again. I will not stand by and allow the bad practices of the past to continue.

The government will not accept the foreshadowed amendments because it is proposing a vast

improvement on the sessional orders that operated in the past. Opposition members had their opportunity, but they did not care. In government they were uncaring, arrogant and did not listen, and they were thrown out at the election. Sessional orders will not only provide a mechanism to allow the government's agenda to progress but also give an opportunity to the opposition, the Independents and, probably more importantly, individual members of Parliament, to progress issues. That is important.

The real test will come in a moment when the house will see the height of hypocrisy as the opposition seeks to blackmail the Independent members of this Parliament. We know the intention of members of the opposition as a sleazy collective — they will try to stand over Independent members of this place. But those days are over — finished. If they persist they will be finished and never get back into government. The house will not have to wait long to see whether they will choose the decent way forward or revert to type and try to blackmail the Independent members and obstruct the government.

**The SPEAKER** — Order! As I told the house in my statement this morning, before putting the question that the motion be agreed to I will ask the Clerk to call each proposed sessional order, to which amendments may be moved.

**Sessional orders 1 and 2 agreed to.**

**Sessional order 3**

**Mr McARTHUR (Monbulk)** — I move:

- 1 Paragraph (1), omit the expression from 'on all sitting days' to the end of the paragraph and insert:

'(a) on all Tuesdays questions may be asked from the time the Speaker calls on questions until the lapse of 45 minutes or 15 questions have been answered, whichever is the longer;

(b) on all other days questions may be asked from the time the Speaker calls on questions until the lapse of 30 minutes or 10 questions have been answered, whichever is the longer;

provided that these sessional orders shall not permit more than one question time each sitting day'.

- 2 Paragraph (2), after the words 'before the house' insert the expression ', including a grievance debate pursuant to sessional order 4'.

- 3 Paragraph (3) omit the expression from 'be resumed immediately at the conclusion' to the end of the paragraph and insert:

'(a) on Wednesdays:

- (i) where the time permitted for a grievance debate or consideration of general business, pursuant to sessional orders 4 and 9 respectively, has not expired, be resumed immediately at the conclusion of oral questions;
- (ii) where the time for consideration of general business has expired pursuant to sessional order 9, stand adjourned until later that day;
- (b) on Thursdays and Fridays be resumed immediately at the conclusion of matters of public importance; and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech'.

4 Omit paragraph (4).

#### House divided on amendments:

##### *Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

##### *Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Treize, Mr                    |

Hulls, Mr  
Ingram, Mr

Viney, Mr  
Wynne, Mr

#### Amendments negatived.

#### Sessional order agreed to.

**The SPEAKER** — Order! Before putting the next question I suggest that because it is likely there will be at least eight divisions it may suit honourable members, except those who will move amendments, to remain in their positions.

#### Sessional order 4

**Mr McARTHUR** (Monbulk) — I move:

- 5 Paragraph (1), omit the words 'two and a half' and insert 'four'.

I join with the Minister for Transport in congratulating honourable members who took part in the debate on the way it was conducted.

The honourable member for Gippsland West contributed to the debate. The honourable member for Gippsland East is yet to make his inaugural speech, so I understand why he did not do so. However, I am disappointed that the honourable member for Mildura did not speak. He has on many occasions in the house and outside, including in statements to the media, indicated his desire to improve the operation of the house. The honourable member has either been absent from the house or has sat silent during the 7½ hours of this debate. He now has a chance to contribute to the debate on this amendment. He should tell honourable members, the people of Mildura and the people of Victoria whether he supports more time for grievance debates.

*Government members interjecting.*

**The SPEAKER** — Order! I ask members for their cooperation in not moving to their normal seats. It is unfair to the honourable member for Monbulk to have a barrage of interjections coming from behind him.

**Mr McARTHUR** — This is an opportunity for the honourable member for Mildura to participate in the debate and explain to the house, the people of Mildura and the people of Victoria whether he supports 4 hours of grievance debates every third sitting Wednesday rather than the 2 hours and 30 minutes proposed.

Honourable members have a clear and simple choice. Do they want more grievance debates during this sessional period or would they rather have fewer than are normally available. The choice is clear: all honourable members, including the honourable

members for Mildura, Gippsland West and Gippsland East, should vote yes.

**Mr BATCHELOR** (Minister for Transport) — I wish to exercise my rights because, until a few moments ago, an understanding existed between the government and the opposition about how the house would progress through this part of the debate. The honourable member for Monbulk has just torn up that agreement. His action is typical of the opposition's arrogant, standover attitude.

During my response to the debate on all sessional orders I predicted that the house would see the opposition attempt to intimidate, stand over and blackmail the Independent members of Parliament. The house is now witnessing the commencement of that process. It does not bode well for the operations of this house when a senior member of the opposition who has been given responsibility for trying to organise good order tears up an agreement.

The understanding reached was that the general debate on sessional orders would canvass all the issues and that at this point the honourable member for Monbulk would simply move his amendments and no debate would be entered into. Honourable members who joined the debate earlier curtailed their contributions so that the debate could progress in an orderly and agreed manner. The opposition has demonstrated that it cannot be trusted, just as the previous government could not be trusted. It broke its word and the opposition has broken its word. It needs to reconsider its position if honourable members want orderly proceedings.

The Deputy Leader of the Opposition should show leadership. She has come to this chamber from the august other place and now has the opportunity to show the leadership she claims to be able to provide. The government will not sit back and watch an agreement entered into being ripped apart. It will not stand here and see members of the chamber stood over and intimidated so the thugs opposite can have their opportunity.

I advise the opposition to take a deep breath and respect the agreement because it has one more opportunity. If it abuses that opportunity, the government will debate each and every amendment fully and frankly throughout the night.

**House divided on amendment:**

*Ayes, 42*

Asher, Ms  
Ashley, Mr  
Baillieu, Mr

Maclellan, Mr  
McNamara, Mr  
Maughan, Mr (*Teller*)

Burke, Ms  
Clark, Mr  
Cooper, Mr  
Dean, Dr  
Delahunty, Mr  
Dixon, Mr  
Doyle, Mr  
Elliott, Mrs  
Fyffe, Mrs  
Honeywood, Mr  
Jasper, Mr  
Kilgour, Mr  
Kotsiras, Mr  
Leigh, Mr  
Lupton, Mr  
McArthur, Mr  
McCall, Ms  
McIntosh, Mr

Mulder, Mr  
Naphine, Dr  
Paterson, Mr  
Pertou, Mr  
Peulich, Mrs  
Phillips, Mr  
Plowman, Mr  
Richardson, Mr  
Rowe, Mr  
Ryan, Mr  
Shardey, Mrs  
Smith, Mr (*Teller*)  
Spry, Mr  
Steggall, Mr  
Thompson, Mr  
Vogels, Mr  
Wells, Mr  
Wilson, Mr

*Noes, 44*

Allan, Ms (*Teller*)  
Barker, Ms  
Batchelor, Mr  
Beattie, Ms  
Bracks, Mr  
Brumby, Mr  
Cameron, Mr  
Campbell, Ms  
Carli, Mr  
Davies, Ms  
Delahunty, Ms  
Duncan, Ms  
Garbutt, Ms  
Gillett, Ms  
Haermeyer, Mr  
Hamilton, Mr  
Hardman, Mr  
Helper, Mr  
Holding, Mr  
Howard, Mr  
Hulls, Mr  
Ingram, Mr

Kosky, Ms  
Langdon, Mr (*Teller*)  
Languiller, Mr  
Leighton, Mr  
Lenders, Mr  
Lim, Mr  
Lindell, Ms  
Loney, Mr  
Maddigan, Mrs  
Maxfield, Mr  
Mildenhall, Mr  
Nardella, Mr  
Overington, Ms  
Pandazopoulos, Mr  
Pike, Ms  
Robinson, Mr  
Savage, Mr  
Seitz, Mr  
Thwaites, Mr  
Trezise, Mr  
Viney, Mr  
Wynne, Mr

**Amendment negatived.**

**Sessional order agreed to.**

**Sessional order 5**

**Mr McARTHUR** (Monbulk) — I move:

- 6 Paragraph (1), omit the expression 'At 10.00 p.m. on each sitting day' and insert the expression:

'On each sitting day, at the following times:

Tuesdays: 10.00 p.m.

Wednesdays: 10.00 p.m.

Thursdays (where the house has not resolved to sit on a Friday): 4.30 p.m.

Thursdays (where the house has resolved to sit on a Friday): 10.00 p.m.

Fridays: 4.30 p.m.'

- 7 Paragraph (2)(b), after the words 'does not so move' insert the expression ', or if such motion is defeated'.

- 8 Paragraph (2)(b), omit all the expression from 'notwithstanding' to the end of the paragraph and insert:

'shall put the question and:

- (i) if it is carried in the affirmative, shall adjourn the house until the time of the next meeting;
- (ii) if it is negated, any business under discussion and not disposed of at the time of interruption of business shall be resumed immediately and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech;

provided that these sessional orders shall not permit more than one adjournment debate each sitting day.'

- 9 Paragraph (4), omit the expression '30 minutes' and insert the words 'one hour'.

- 10 Insert the following paragraph after paragraph (4):

'(5) The time for raising matters, and the time limit per member, shall not include the time taken for points of orders and other interruptions.'

If agreed to the amendments will provide a different operation of the set finishing times of the house and the opportunity for the house to decide whether sittings should continue rather than those decisions being left in the hands of government ministers. The amendments should be agreed to because they would aid the operation of the house by leaving it in the hands of the house.

#### House divided on amendments:

*Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |

|               |                   |
|---------------|-------------------|
| Beattie, Ms   | Leighton, Mr      |
| Bracks, Mr    | Lenders, Mr       |
| Brumby, Mr    | Lim, Mr           |
| Cameron, Mr   | Lindell, Ms       |
| Campbell, Ms  | Loney, Mr         |
| Carli, Mr     | Maddigan, Mrs     |
| Davies, Ms    | Maxfield, Mr      |
| Delahunty, Ms | Mildenhall, Mr    |
| Duncan, Ms    | Nardella, Mr      |
| Garbutt, Ms   | Overington, Ms    |
| Gillett, Ms   | Pandazopoulos, Mr |
| Haermeyer, Mr | Pike, Ms          |
| Hamilton, Mr  | Robinson, Mr      |
| Hardman, Mr   | Savage, Mr        |
| Helper, Mr    | Seitz, Mr         |
| Holding, Mr   | Thwaites, Mr      |
| Howard, Mr    | Trezise, Mr       |
| Hulls, Mr     | Viney, Mr         |
| Ingram, Mr    | Wynne, Mr         |

#### Amendments negated.

#### Sessional order agreed to.

#### Sessional order 6

**Mr McARTHUR (Monbulk) — I move:**

- 11 Omit this sessional order.

The amendment will omit sessional order 6, which provides for the agreed government business program and the automatic guillotining of business at the end of the week. The opposition's amendment will allow honourable members to choose between having the house decide when business is finalised and having the government decide. The amendment should be agreed to.

#### House divided on amendment:

*Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Treize, Mr                    |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

**Amendment negatived.****Sessional order agreed to; sessional orders 7 and 8 agreed to.****Sessional order 9****Mr McARTHUR (Monbulk) — I move:**

- 12 Paragraph (1), omit the expression ‘Save for on grievance days pursuant to sessional order 4, precedence shall be given to matters of public importance immediately after statements by members pursuant to sessional order 8 each sitting Wednesday’ and insert:

‘Precedence shall be given to matters of public importance immediately after question time each sitting Tuesday, Thursday and Friday.’

- 13 Paragraph (1), omit the words commencing ‘Proposals for discussion’ to the end of the paragraph and insert the following expression:

‘Proposals for discussion accepted by the Speaker shall rotate between members by application of the following process:

Total number of members  
Less ministers and the Speaker  
Balance equals the number of members entitled to submit proposals  
Of such entitled members, rotation shall be in the ratio of: Liberal Party members: National Party members: Independent members: Labor Party members.’

- 14 Paragraph (7), omit the words ‘two and a half hours’ and insert the words ‘one hour’.

The effect of these amendments is to alter the arrangements for debate on matters of public

importance and to allow those debates to occur on Tuesdays and Thursdays, and when the house sits, on Fridays; to make some alterations to the rotation of the call on matters of public importance to ensure that all non-government members have the same opportunity as government backbenchers to debate those issues; and to provide an increased opportunity for members to debate matters of public importance on behalf of their constituents.

**House divided on amendments:***Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Treize, Mr                    |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

**Amendments negatived.****Sessional order agreed to; sessional orders 10 and 11 agreed to.**

**Sessional order 12**

**Mr McARTHUR (Monbulk) — I move:**

15 Omit this sessional order.

The effect of the omission of sessional order 12 would be to allow the time-honoured tradition of the house for honourable members to express their condolences on the death of sitting or former members of Parliament to continue. The amendment allows honourable members to choose whether or not that tradition should continue. I suggest it should.

**House divided on amendment:***Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Trezise, Mr                   |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

**Amendment negatived.**

**Sessional order agreed to; sessional order 13 agreed to.**

**Sessional order 14**

**Mr McARTHUR (Monbulk) — I move:**

16 Omit this sessional order and insert the following sessional order:

‘AA notwithstanding anything contained in the standing orders, during the present session precedence shall be given to general business until 2.00 p.m. or for four hours, whichever is the longer, each sitting Wednesday and the procedure for consideration of such general business shall be as follows:

- (1) The right to nominate two items per sitting Wednesday shall be at the discretion of the Speaker and determined on a pro-rata basis according to the representation in the house other than from the party forming government.
- (2) These items can be either notices of motion or orders of the day and shall be notified to the Speaker by 5.00 p.m. on the previous day. In the absence of nominations by the stipulated time the right or rights to nominate is or are lost for that sitting Wednesday and the next item of general business shall be called on.
- (3) If the same item is nominated twice by different nominees that item shall be selected as the only nominated item for discussion.
- (4) In the event that debate:
  - (a) on any one item continues for two hours; or
  - (b) on any combined item pursuant to paragraph (3) continues for four hours;

the debate shall be interrupted and any item under discussion which is not disposed of at such time shall be set down on the notice paper for the next sitting day and any member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
- (5) At the conclusion of the debate on the nominated item or items priority shall be given to motions for leave to bring in non-government bills, orders of the day for the moving of the second reading of non-government bills and consideration of petitions.
- (6) On the moving of the second reading of non-government bills debate shall be adjourned for two weeks.

This amendment inserts new sessional order AA, which provides a guaranteed right for two matters of general business to be raised and debated for 4 hours on Wednesday mornings. It removes from the sessional orders the unfettered and unquestioned right of the

government to prevent members from raising matters of public importance.

This amendment is critical to provide opportunities for non-government members and Independents to raise matters of general business and debate them in the house, and I believe it should be supported.

**House divided on amendment:**

*Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphthine, Dr                 |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Trezise, Mr                   |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

**Amendment negatived.**

**Sessional order agreed to.**

**Sessional order 15**

**Mr McARTHUR (Monbulk)** — I move:

17 Omit this sessional order.

The effect of this amendment will be to omit sessional order 15, thus allowing the house to divide on a question or consider a disciplinary matter when the house sits through the traditional lunch break. They are important powers for the house to have under its control and should therefore not be restricted by sessional orders. The amendment should be agreed to.

**House divided on amendment:**

*Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphthine, Dr                 |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Trezise, Mr                   |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

**Amendment negatived.**

**Sessional order agreed to.**

**New sessional order BB**

**Mr McARTHUR (Monbulk) —** I desire to move that:

- (1) If a minister does not furnish an answer to a question on notice within 30 days of the asking of that question and does not, within that period, provide to the member who asked the question an explanation satisfactory to that member as to why an answer has not been provided, immediately after the conclusion of the daily answering of questions without notice on any sitting Tuesday, the member may ask the relevant minister for an explanation, provided that the total time for any such explanation or explanations shall not exceed 15 minutes.
- (2) In the event that a minister does not provide a satisfactory explanation, the member may give notice forthwith of a motion regarding the minister's failure to provide either a satisfactory answer or an explanation and precedence over government business shall be given to such a motion on the next day of meeting: provided always that the time taken for consideration of such motions shall not be taken as forming part of the time allocated for general business pursuant to sessional order 9.

The effect of the proposed new sessional order is to codify the arrangements that the Leader of the House implied existed in the sessional orders. That will enable members who asked questions on notice of ministers but who did not get responses to those questions to rely on an explanation from the responsible minister after the expiration of 30 days as to why a response was not forthcoming. This proposes in effect the same situation that has successfully operated in the other place for many years. It will guarantee that all honourable members will receive responses to their questions on notice. I believe it is an important opportunity for members to take up.

**The SPEAKER —** Order! I am of the opinion that the amendment proposed by the honourable member for Monbulk is outside the scope of the debate before the house, and therefore I cannot accept it. I advise him that he will have an opportunity to test the provision when general business, notice of motion 1, comes before the house.

**Mr McARTHUR —** On a point of order, Mr Speaker, it is within the terms of the motion. As I said earlier, it specifies and clarifies an implied opportunity that the Minister for Transport claims the sessional order allows for. It ensures that a definite opportunity exists for members to receive a response to questions on notice put to ministers. I ask you to reconsider your ruling.

**The SPEAKER —** Order! There is no point of order and there will be no reconsideration by the Chair. Clearly, it is not within the scope of the debate before the house and therefore cannot be accepted.

**New sessional order CC**

**Mr McARTHUR (Monbulk) —**

- (1) Following the presentation of a report of the Scrutiny of Acts and Regulations Committee to the house which:
  - (a) recommends under part 5 of the Subordinate Legislation Act 1994 the disallowance in whole or in part of:
    - (i) a statutory rule; or
    - (ii) an instrument to which part 5 of the Subordinate Legislation Act 1994 applies as if it were a statutory rule within the meaning of that act; or
  - (b) reports that there was a failure to table under section 15 of the Subordinate Legislation Act 1994:
    - (i) a statutory rule; or
    - (ii) an instrument to which section 15 of the Subordinate Legislation Act 1994 applies as if it were a statutory rule within the meaning of that act —

a member may give notice of a motion for the disallowance in whole or in part of such statutory rule or instrument which shall be set down for consideration to take precedence on the notice paper on the next sitting Thursday after notice is given.

- (2) A member shall be entitled to give notice of a motion for the disallowance in whole or in part of:
  - (a) a statutory rule; or
  - (b) an instrument to which section 15 of the *Subordinate Legislation Act 1994* applies as if it were a statutory rule within the meaning of that act —

and such notice shall be set down for consideration to take precedence on the notice paper on the next sitting Thursday after notice is given: provided that, where notice has been given pursuant to paragraph (1), such notice shall take precedence.

- (3) No member shall speak for more than five minutes on any motion moved under this sessional order and the debate shall be no longer than two hours.

The amendment would insert new sessional order CC, which provides the opportunity for members to debate subordinate legislation and disallowance motions. The matter was specifically canvassed by the Leader of the House. In his contribution to the debate on sessional orders he specifically referred to opportunities for

members to raise disallowance motions as provided by the Subordinate Legislation Act. He claimed that opportunity exists under the proposed sessional orders. The opposition seeks to ensure that right is specified, clear and available to all non-government members.

**Mr BATCHELOR** (Minister for Transport) — Mr Speaker, to assist in any deliberations you may be asked to make on the matter, I advise that it is true that the written text of the sessional order to which this amendment relates does not mention those provisions by name. It was always the intention of the government that the sessional order would have the effect of allowing the progression of such motions under general business. It was the intention of the government that the sessional order would deal with such requests by notice of motion under general business.

**The SPEAKER** — Order! In view of what has been said I will accept the amendment moved by the honourable member for Monbulk. The question is that new sessional order CC be agreed to.

**House divided on new sessional order:**

*Ayes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

*Noes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |

|               |                   |
|---------------|-------------------|
| Gillett, Ms   | Pandazopoulos, Mr |
| Haermeyer, Mr | Pike, Ms          |
| Hamilton, Mr  | Robinson, Mr      |
| Hardman, Mr   | Savage, Mr        |
| Helper, Mr    | Seitz, Mr         |
| Holding, Mr   | Thwaites, Mr      |
| Howard, Mr    | Trezise, Mr       |
| Hulls, Mr     | Viney, Mr         |
| Ingram, Mr    | Wynne, Mr         |

**New sessional order negatived.**

**House divided on motion:**

*Ayes, 44*

|                             |                               |
|-----------------------------|-------------------------------|
| Allan, Ms ( <i>Teller</i> ) | Kosky, Ms                     |
| Barker, Ms                  | Langdon, Mr ( <i>Teller</i> ) |
| Batchelor, Mr               | Languiller, Mr                |
| Beattie, Ms                 | Leighton, Mr                  |
| Bracks, Mr                  | Lenders, Mr                   |
| Brumby, Mr                  | Lim, Mr                       |
| Cameron, Mr                 | Lindell, Ms                   |
| Campbell, Ms                | Loney, Mr                     |
| Carli, Mr                   | Maddigan, Mrs                 |
| Davies, Ms                  | Maxfield, Mr                  |
| Delahunty, Ms               | Mildenhall, Mr                |
| Duncan, Ms                  | Nardella, Mr                  |
| Garbutt, Ms                 | Overington, Ms                |
| Gillett, Ms                 | Pandazopoulos, Mr             |
| Haermeyer, Mr               | Pike, Ms                      |
| Hamilton, Mr                | Robinson, Mr                  |
| Hardman, Mr                 | Savage, Mr                    |
| Helper, Mr                  | Seitz, Mr                     |
| Holding, Mr                 | Thwaites, Mr                  |
| Howard, Mr                  | Trezise, Mr                   |
| Hulls, Mr                   | Viney, Mr                     |
| Ingram, Mr                  | Wynne, Mr                     |

*Noes, 42*

|               |                               |
|---------------|-------------------------------|
| Asher, Ms     | Maclellan, Mr                 |
| Ashley, Mr    | McNamara, Mr                  |
| Baillieu, Mr  | Maughan, Mr ( <i>Teller</i> ) |
| Burke, Ms     | Mulder, Mr                    |
| Clark, Mr     | Naphine, Dr                   |
| Cooper, Mr    | Paterson, Mr                  |
| Dean, Dr      | Perton, Mr                    |
| Delahunty, Mr | Peulich, Mrs                  |
| Dixon, Mr     | Phillips, Mr                  |
| Doyle, Mr     | Plowman, Mr                   |
| Elliott, Mrs  | Richardson, Mr                |
| Fyffe, Mrs    | Rowe, Mr                      |
| Honeywood, Mr | Ryan, Mr                      |
| Jasper, Mr    | Shardey, Mrs                  |
| Kilgour, Mr   | Smith, Mr ( <i>Teller</i> )   |
| Kotsiras, Mr  | Spry, Mr                      |
| Leigh, Mr     | Steggall, Mr                  |
| Lupton, Mr    | Thompson, Mr                  |
| McArthur, Mr  | Vogels, Mr                    |
| McCall, Ms    | Wells, Mr                     |
| McIntosh, Mr  | Wilson, Mr                    |

**Motion agreed to.**

**Sessional orders agreed to.**

## TEMPORARY CHAIRMEN OF COMMITTEES

THE SPEAKER laid on table warrant nominating Ann Patricia Barker, Susan Margaret Davies, Kenneth Stephen Jasper, Donald Kilgour, Peter James Loney, Hurtle Reginald Lupton, Donato Antonio Nardella, Inga Peulich, Wayne Phillips, Antony Fulton Plowman, John Ingles Richardson, Russell Irwin Savage and George Seitz to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman 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 Chairmen of Committees to temporarily relieve him in the chair and that during any absence of the Speaker, the Deputy Speaker be similarly authorised to call upon any of the temporary chairmen.

Motion agreed to.

## AUDITOR-GENERAL'S OFFICE

### Financial audit

Mr BATCHELOR (Minister for Transport) — I move:

That pursuant to section 17 of the Audit Act 1994:

1. Mr Douglas N. Bartley of KPMG be appointed to conduct the financial audit of the Auditor-General's office for the 1998–99 financial year in accordance with the conditions of appointment and remuneration contained in the report of the Public Accounts and Estimates Committee on the appointment of independent auditors to conduct financial and performance audits of the Victorian Auditor-General's Office (Parliamentary Paper No. 7, Session 1998); and
2. The level of remuneration for this financial audit be \$10 750.

Motion agreed to.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

## ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

## Bridges: River Murray

Mr JASPER (Murray Valley) — I refer the Minister for Transport to an issue I have raised on many occasions in the past — that is, the replacement of bridges across the River Murray. Honourable members would be aware that there are about 23 bridges across the river between Victoria and New South Wales, many of which are in a dilapidated condition. The Victorian and New South Wales governments put forward a plan to the federal government to replace five of those bridges at a cost of about \$70 million. The federal government approved funding for three bridges at Corowa, Echuca and Robinvale totalling \$44 million, with additional funding to be provided by the state governments to ensure the construction of the bridges. The Howlong bridge, which is one of the five put forward for replacement, is currently in the tendering process. An additional \$2 million will be provided by the Victorian government to the New South Wales government for the replacement of that bridge.

However, the concern I raise for the minister's attention is about the bridge across the Murray River between Cobram and Barooga. It is almost 100 years old and in a dilapidated condition. It was one of the five bridges to be replaced. The failure to replace it has caused a huge outcry from the residents of Cobram and Barooga.

Under a 1936 agreement the two state governments operate a maintenance program on the bridges. A meeting held at Cobram Civic Centre on 31 September was attended by over 800 people, who expressed strong concern that the bridge had not been included for replacement. The meeting passed a resolution that local members of Parliament make representations to the New South Wales and Victorian governments to provide funding for replacement of the bridge.

The constituents seek urgent consideration by the Minister for Transport; his agreement to meet a deputation of representatives from the shires and other organisations within the Cobram–Barooga area; and immediate consideration to providing funding for the replacement of the bridge instead of for the maintenance program currently being undertaken.

I have written and spoken to the minister on the matter and I seek his agreement to urgently meet the representative group. I seek his cooperation and support for the bridge, the continued use of which is essential for people in the area.

**Police: Footscray**

**Mr MILDENHALL** (Footscray) — I raise a matter for the attention of the Minister for Police and Emergency Services. Will the minister address the crisis in police numbers in the Footscray electorate? The electorate needs more attention following the appalling neglect it suffered under the Kennett government. The situation has now reached the crisis stage.

Heroin trafficking has reached critical levels: the local needle exchange is dealing with over 1000 needles a day; 60 young people shoot up outside the back door of my office every day; ambulance officers revive an overdosed user every second day; and recently my office has received an average of two ambulance visits a day.

Footscray has recently received negative publicity when a vigilante group sprang up among the local traders who want to take law enforcement into their own hands. Official statistics from 1998–99 show that the incidence of violent crime has increased by 20 per cent. The Kennett government's response to those figures was worse than neglect — it damaged our community's capacity to deal with the issues.

The figures obtained under freedom of information legislation show there are 32 unfilled police positions in the electorate. The government closed the Maidstone police station — one of the principal stations in the area — soon after the closure of the Kingsville station. It delayed the construction of a new 24-hour station at Sunshine by five years. Operation Heywood, aimed at suppressing drug dealing, has closed down with no replacement in sight. Police have been borrowed from surrounding districts just to keep a second divisional van on the road. The police ethnic unit was closed down; police foot patrols in the shopping centre cannot be guaranteed; and the special operations and special duties officers are no longer available to assist in drug suppression operations.

Although I support the government's safe injecting facility proposal I suggest there is a need to complement the strategy with an increased police presence to avoid any possibility of a honey-pot effect. The government's commitment to employ 800 more police officers is the best news that my electorate has received.

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

**Forest industry: Otway Ranges**

**Mr PERTON** (Doncaster) — The matter I raise with the Minister for Environment and Conservation relates to her action in halting logging on Riley's Ridge in the Otway Ranges. As I understand it, a small group of protesters have built a tree village in that area of the Otway Ranges in an effort to stop logging. A group of contractors have to enter that mountain ash area under the direction of the Department of Natural Resources and Environment but staff have been stopped from undertaking their lawful activities.

Today's *Age* reports that:

The minister also yesterday halted logging in a contested area of the Otways pending talks today with conservationists.

It raises the ludicrous proposition of the minister climbing into the trees. The absurdity of that position is not lost on most honourable members.

The process to establish a regional forest agreement is in place and appropriate negotiations and consultations are continuing with all interests in the area. The Otways is an important area of economic activity for the state. Forest and wood-based industries generate outputs worth \$53 million, with flow-on effects of about \$99 million.

The region's 22 hardwood sawmills turn over approximately \$29.9 million a year, accounting for 12.6 per cent of the state's sawlog production. The gross value of pulpwood is \$23.2 million, with 15.4 per cent of Victoria's total residual lot production.

The minister has halted lawful activities on the basis of a small protest of fewer than 25 people. The question that the honourable member for Polwarth and I raise is what will happen to those contractors who have to pay employees' wages and the lease payments on equipment. Will the minister give an assurance that the regional forest agreement in that area will continue according to law and will she make her decisions with fairness, with regard to all the economic and social interests concerned, or will she continue to give in to the dictates of some tree-house-building protesters?

**Rail: Melbourne–Geelong link**

**Mr LONEY** (Geelong North) — I direct a matter to the attention of the Minister for Transport. During the recent state election the government made a promise to provide a fast rail link from Melbourne to the city of Geelong. The promise was that the rail link would have a travel time of 45 minutes, thus slashing a long time from the current travel arrangements between

Melbourne and Geelong which would benefit all commuters on that line.

The promise received great support in the Geelong community, especially after seven years of public transport neglect in the area by the previous government, one which cared nothing for the people who travel by rail from Melbourne to Geelong.

The previous Labor government between 1982 and 1992 upgraded that line and introduced the Sprinter trains which improved the service considerably, but nothing has been done over the past seven years to help commuters on that line. The coalition government was more interested in closing country railway lines than improving them. It was so out of touch in the Geelong area that it was planning to charge people for parking at railway stations, rather than providing a better train service.

The promise to improve travel times to Geelong has received strong support throughout my community, but particularly from the mayor of the City of Greater Geelong, Mr Ken Jervis, who strongly supports the Labor government policy on trains. He is a strong supporter of the commitments given by the Labor government and he wants its policies introduced as soon as possible. They are important to the growth and economic activity of my community. It is important to demonstrate a commitment to regional areas which this side of the house has but which the other side never had.

I urge the Minister for Transport to take up this issue as early as possible in this term of government. The community of Geelong is desperately keen for the project to be implemented straightaway.

### **Workcover: premiums**

**Mr CLARK** (Box Hill) — I raise for the attention of the Minister for Workcover concerns regarding the administration of Workcover and, in particular, the likely future premium level of the Workcover scheme.

As a result of recent statements by the Minister for Workcover and the Premier and particularly because this morning during question time the minister would not guarantee that there would not be an increase in Workcover premiums, people are now asking whether Workcover premiums will rise and, if so, by how much.

The minister needs to take action to ensure that the public is fully and accurately informed. I need hardly remind the minister of the devastating effect that high-premium levels of Workcare had in the early 1990s. Premium levels averaged 3 per cent, which

placed enormous cost pressures on Victorian businesses. This was exacerbated by the fact that the Workcare scheme had unfunded liabilities of some \$2.1 billion, which was a further cost overhang on Victorian businesses. I also need hardly remind the minister that much of the high cost of the Workcare scheme in the early 1990s was due to the enormous cost of common-law claims under a regime that was out of control.

In light of those facts, and especially as the minister has highlighted to the public that Workcover has a reported accumulated loss of \$295 million while not offering an explanation of the cause of this accumulated loss, employers are entitled to be concerned about what is happening.

The annual report of the Victorian Workcover Authority makes it clear that the total of common-law claim payments has risen from \$206 million in 1997–98 to \$355 million in 1998–99, an increase of \$149 million. The claims relate solely to injuries that took place prior to 1997, when the previous coalition government eliminated common-law claims for workplace injuries, so they are likely to decline to zero in the years ahead. The minister has not made this fact clear in his public statements, which is causing understandable concern with the public and employers.

Provided the government does not introduce legislation reintroducing a common-law regime I ask the minister to make clear to the public that common-law claims will work their way out of the system and will, in due course, no longer be putting cost pressures on the Workcover system.

### **Essendon hospital site**

**Mrs MADDIGAN** (Essendon) — I raise for the attention of the Minister for Health the possibility of returning public health services to the Essendon area because of the many services that were lost as a result of the previous government's policy of closing the Essendon hospital.

When the coalition government announced that it would close the Essendon hospital in 1996 it promised to provide public health services to make up for the loss of services provided by the hospital. There was an excellent day-care clinic which provided a valuable service, particularly for older people, not just in the Essendon area but in the greater Moonee Valley area, including Gisborne and Tullamarine.

Since that time the former government has done nothing to overcome the loss of the public health services. The residents have been denied access to the

services because it is impossible to get them to hospitals located out of my electorate. Many of my constituents were annoyed when, during the election campaign, the issue was raised on radio with the then Premier. His reply was to suggest that the residents of Essendon had a hospital, to use his words, up the road in Epping and it would be appropriate for them to go there. That comment leads one to wonder whether he had ever been to Essendon or Epping and whether he could appreciate the distance between the two places! The former Premier's suggestion amazed many people.

The health of members of my community has suffered because of the loss of important services such as podiatry, rehabilitation and physiotherapy and the closure of a number of day clinics at the hospital. It would be laughable if it were not such a serious matter.

The only money allocated by the previous government was used to commission a Department of Human Services report to identify health needs in the Essendon and Moonee Valley areas. That report clearly showed that the services most needed were those previously provided by the Essendon hospital. Obviously, the former government was not prepared to take any action on the report's recommendations. As I understand it, the contract for the Essendon hospital is at such a stage that it cannot be changed, but the new owners are happy to have public health services as part of the complex. It would be a good opportunity for Essendon and Moonee Valley residents to regain some of those important health services.

### **Sandringham and District Memorial Hospital**

**Mr THOMPSON** (Sandringham) — I direct to the attention of the Minister for Health the delivery of health services, in this case in the Sandringham electorate. One of the great difficulties in public health administration today in Australia and overseas is demand management and service provision. In the case of the Southern Health Care Network in the Sandringham electorate one of the great success stories of the past seven years has been the strengthening of the role of the Sandringham and District Memorial Hospital. The hospital has had a long and great history as a local community hospital, having been built brick by brick and with the help of the proceeds of many jam jar sales.

In 1992 the services at the Sandringham hospital, under the direction of a former Minister for Health, the Honourable Maureen Lyster, were regarded as being in jeopardy, particularly the midwifery services. As a consequence of the network reorganisation and the restructure of service delivery within the health care

network the strategic throughput and role of the hospital were strengthened. As part of the process the old Mordialloc hospital was converted into an outstanding community health-care service through the strong advocacy of the honourable member for Mordialloc. About \$3 million or \$4 million was invested in its redevelopment.

Today the Sandringham hospital has increased throughput in the areas of orthopaedics, general surgery and midwifery. Late last year the former Premier opened new operating theatres worth about \$3 million. In last August a new dialysis centre to service a wide area of the southern region was also opened.

A particular concern at present is the recent announcement by the Minister for Health that the network boards will be abolished. I advise the house that the restructuring of health-care groupings in the Southern Health Care Network had led to a strong and viable Sandringham hospital which underpinned service delivery in a broad range of areas I mentioned earlier and in the casualty unit.

I ask the Minister for Health to guarantee the people in the southern region, and in my electorate in particular, that the service delivery in Sandringham in throughput, which is demonstrably at its highest point in 40 years, will not be adversely affected by any measures introduced by the new government to change or review the health-care network.

### **Police: Heidelberg stations**

**Mr LANGDON** (Ivanhoe) — I ask the Minister for Police and Emergency Services what is happening with the Heidelberg police station and police in general in the Ivanhoe electorate. The house may recall that I have a long history of raising the issue of police in the Ivanhoe electorate, and in particular the Heidelberg West police headquarters promised by the previous government. It reneged on that promise.

According to the *Heidelberger*, during the budget session earlier this year the former government committed \$7.5 million to the Heidelberg police station. I want that point clarified because during the election campaign the then minister, Mr Bill McGrath, said there was no guarantee a Labor government would build the Heidelberg police station, even though it was provided for in the budget.

I refer in particular to the former minister's comment on the Heidelberg West police station. During the election campaign I received a copy of an article that appeared in the *Guardian* of 10 September. It states:

Mr McGrath said the building of the [Malmsbury] complex owed a lot to a quirk of political fate.

'Before the last state election the member for Ivanhoe, Vin Heffernan, had promised there would be a new police complex built at Heidelberg.

However, the voters didn't re-elect Vin, so we didn't have to keep the promise. Obviously they didn't want the new complex. So, we had a sum of \$5 million plus which had been earmarked for it.

I went to the Premier and said I wanted to spend that money upgrading country police stations, particularly the one-man stations and he said "Go for it", so that's how the money became available', Mr McGrath said.

That is a prime example of the previous government's broken promises. It was obviously working its way through the funding and toward the Malmsbury police station.

At the height of the election campaign the then government had the audacity to suggest that the Heidelberg police station and the \$7.5 million, which according to my upper house colleagues had already been committed, may be in doubt. It said the Labor government would reverse the decision and not fund the proposal. I ask the minister to clarify that situation.

### **Bellarine Secondary College**

**Mr SPRY** (Bellarine) — I refer the Minister for Education to a pre-election announcement regarding funding for a permanent upgrade of the year 7 to 8 campus of the Bellarine Secondary College at Ocean Grove. The minister will recall visiting the college earlier this year and the vigorous repartee she enjoyed with a couple of students at that time.

When the long-term educational arrangements were being considered for secondary college students in the eastern end of the Bellarine Peninsula early in 1993 following a decade of indecision, a decision was made to build a new \$10 million campus at Drysdale. The campus has been completed and in action for two or three years. It was always intended that the future of the Ocean Grove year 7 to 8 campus would be reviewed after a full year of occupation by year 7 students. That is due to happen at the end of this year.

In the meantime, the highly regarded, hardworking and proactive council of the school headed by Mr John Burt quite correctly jumped the gun and initiated a review in the middle of 1999. The council recommended to the school community that the Ocean Grove year 7 to 8 campus should continue to function permanently as a stand-alone annex to the secondary college. Support for that decision was not unanimous, but it appears to enjoy the general support of the local

community, especially the people of Ocean Grove and Collendina.

During the election campaign the ALP made a surprise announcement that it would commit \$3 million to effect the upgrade, pre-empting a final decision by the school community. There is an element of suspicion in the community that that commitment may not be honoured and was simply an off-the-cuff election promise. I seek the assurance of the minister that the commitment is binding and that the works on the project will proceed forthwith.

### **Police: Springvale station**

**Mr LIM** (Clayton) — May I take this opportunity to congratulate you, Mr Speaker, on your elevation to that high office.

My question, like the questions from the honourable members for Ivanhoe and Footscray before me, is addressed to the Minister for Police and Emergency Services. I draw the attention of the minister to the shortfall in resources at Springvale police station in my electorate of Clayton. The situation there is outrageous, to say the least, and constitutes a legacy of neglect by the previous government.

Before the election I had the good fortune to visit most of the shops in that shopping centre. It should be understood that the greater part of the Springvale shopping centre is in the electorate of Clayton. Concern had been expressed, loud and clear, by both traders and shoppers about intimidation they felt as a result of the presence of drug dealers and the fact that the drug trade was running amok in the area, particularly in the main shopping area in Springvale Road between Safeway and the railway station.

The local police, to give them their due, were trying their best to contain the situation. When I tried to contact the officer in charge of the station by telephone, however, I found that he had been hijacked to Frankston police station. That is an indication of how desperate the situation was. Police officers were being shifted here and there all over the place to try to cover a patchwork of police precincts. At the time I called I learnt that the Springvale police station was 10 officers short and had only one patrol car.

The situation deeply concerns the local traders and shoppers, and many of the traders have advised me in the strongest possible terms that business has fallen sharply during the past six months. I trust the minister will take the matter seriously and give it the consideration it deserves.

### Caulfield South Primary School

**Mrs SHARDEY** (Caulfield) — I direct the attention of the Minister for Education to a commitment by the Department of Education to the Caulfield South Primary School. In 1998 the school created a strategic plan for its needs. Based on that plan and on the advice of the Department of Education — not a political decision — the school was awarded a major upgrade for multipurpose rooms, canteens and toilets to meet its needs into the next century. The cost was to be \$500 000.

I ask the minister whether she will consider maintaining the decision, which was not political or a vote-getting exercise in the first instance, to upgrade the school as the department had intended. I request an assurance from the minister that the upgrade of the school will go ahead and its needs will be met.

### Responses

**Mr HAERMEYER** (Minister for Police and Emergency Services) — The honourable member for Footscray raised the issue of a shortage of police in the Footscray area, pointing out the serious drug problem there, particularly around the Footscray shopping centre. I think he said that something like 60 young people a day shoot up outside the back of his office and that the local needle exchange service issues approximately 1000 needles a day.

The honourable member for Footscray, being the diligent member he is, also sought through freedom of information details of activities at the local police station. He found that the local station was 32 officers short at that time. That is a totally unacceptable situation.

A major police operation known as Operation Heywood had been conducted in the area, but it was effectively terminated and was not replaced. It operated in one of the areas that has unfortunately gained a reputation as a key area of Melbourne for drug trafficking. I believe the people of Footscray, like people anywhere in Melbourne, have the right to go about their business without being intimidated by the scourge of drug dealing and trafficking in their streets.

The negligence of the previous government and its deliberate contempt for any concept of community safety was highlighted when it cut about 800 members from Victoria's police force over a period of three years.

I assure the honourable member for Footscray that the government is committed to its election pledge of

putting 800 additional police on the front line. The police commissioner will ensure that those police are distributed to the police stations where they are most required. I have no hesitation in saying that Footscray is very much at the top of the list.

The honourable member for Clayton has raised a similar concern. Shopkeepers feel intimidated by the presence of drug dealers. He said that despite their best efforts, the local police are playing catch-up with solutions to the crime and drug problems in that shopping centre. Once again, it comes down to the issue of a shortage of police officers.

The honourable member said that on occasions police had to be called in from as far away as Frankston to top up shortages around the Springvale area — not that Frankston has any surplus of police it could spare for such activities! That is an absolute indictment of the previous government, which deliberately went about the task of cutting police numbers and compromised the safety of Victorians in the process.

The Labor government is committed to providing for the safety of the Victorian public. It is committed to creating safe shopping centres, safe communities, safe neighbourhoods and safe streets by providing not only adequate police numbers but also effective preventive programs.

The honourable member for Ivanhoe referred to what I regard as a shameful episode in the history of the previous government: its promise to spend \$7.5 million on building the Heidelberg police station. The former government had a habit at election time of promising that it would build X, Y and Z police stations but not delivering. On two occasions it promised to build a police station in Mordialloc and defaulted on that promise. It did the same thing with the proposed Heidelberg West station. Mr Heffernan, a previous member for Ivanhoe, promised that police station in the run-up to an election. Barely a few weeks passed after the election before the property on which the police station was to be built was sold to a gaming organisation — a symbolic example of the priorities of the last government!

Further, the former Minister for Police and Emergency Services stated that if the voters did not re-elect the sitting member for that area, they would not get a police station. That shows the degree of cynicism of the previous government and is yet another damning indictment of its attitudes. The minister intended to build police stations throughout country areas — which, by the way, he did not have the officers to staff — in an attempt to save National Party electorates.

Police stations should not be the object of cynical party politicking but should be allocated on the basis of need. I assure the honourable member for Ivanhoe that the Labor government is committed to providing Ivanhoe with an adequate police presence. Unlike the previous government, which was good at making promises and not delivering, the Bracks Labor government will build the Heidelberg police station.

**Ms GARBUTT** (Minister for Environment and Conservation) — The honourable member for Doncaster, who is the shadow minister for conservation and environment, raised an issue concerning protesters in the Otway Ranges. The government is committed to ensuring an open and consultative process for the remaining two regional forest agreements (RFAs) in the Otway Ranges in western Victoria and in Gippsland.

Under the former government the process was secretive and divisive. Little information was provided, and I have received complaints from most of the stakeholders about the information being inadequate. The former government did not provide sufficient information to enable people to participate in the process in a meaningful way. The federal Minister for Forestry and Conservation, Mr Wilson Tuckey, ordered an inquiry into the Wombat Forest, which came under the western Victorian RFA. The inquiry was opposed vigorously by the former government but has nevertheless been going ahead. The federal minister recently announced a three-month extension to the western Victorian RFA and the Gippsland RFA process because it was so far behind schedule. I want to use that extra time to open up the process and improve it to ensure that it is as open and participatory as possible. I expect to be able to announce some improvements to the process in the near future.

I have been meeting with representatives of the key stakeholders from both sides, including the conservation groups and the workers, and I will continue to do so. I will also discuss the improvements to the process with them and other relevant groups in the next few days.

The government wants a proper process for RFAs; not one that is secretive but one that is open and involves listening to community concerns, taking them into account and being accountable.

**Mr Perton** — On a point of order, Mr Speaker, the matter raised for the attention of the Minister for Environment and Conservation related to the authorisation by her officers of the halting of logging works. Although the matters she referred to are satisfactory for an introduction, she has now been

speaking for about 4 minutes without dealing with the substance of the matter. I ask you, Mr Speaker, to ensure that the minister's answer is relevant to the issue raised — that is, the rights of contractors working under the direction of her officers.

**The SPEAKER** — Order! There is no point of order. The points the minister was making relate to matters raised by the honourable member for Doncaster.

**Ms GARBUTT** — We have all listened to the honourable member for Doncaster when he has made long speeches ad nauseam about next to nothing.

The protest is about the regional forest agreement process, and everything I have said is relevant to what is happening and to what I am doing about it. The honourable member for Doncaster needs to listen. He did not listen, and he is still not listening, and that is why the former government lost office.

The government will ensure the process is credible and considers all the forest values, not only the timber industry. The government is committed to supporting the rural communities that rely on logging. Logging will continue while the RFA process is under way, and work has been continuing on the coupe. A better process will allow the government to achieve a much more credible outcome.

**Mr CAMERON** (Minister for Workcover) — I have not had the opportunity, Sir, to formally congratulate you on your elevation to the position of Speaker. I wish you well during the coming session of Parliament.

The honourable member for Box Hill referred to the administration of Workcover, which is in crisis as a result of the actions of the former government. The honourable member has a cheek, given that his fingerprints are all over it, as the Leader of the House says. He was Parliamentary Secretary to the Treasurer, so his fingerprints are all over the place!

Let us put the history of the dimension of the problem the government has to tackle into perspective. In the financial year 1998–99 his government set out to make a profit of \$134 million from the Workcover scheme but instead it made a loss of \$176 million. That is \$310 million below budget. The honourable member asks, 'What's the cause?' as though those things are not factored in. What sort of government does not factor in those things? He says the loss is due to common law claims. Did he not know there were common law writs in the system? Of course he knew! Any decent government would know that.

The government and the Workcover board are determined to tackle the problems his government created. We will look at all sorts of options. The honourable member for Box Hill may be happy that there is a crisis in Workcover and that the scheme is not fully funded, but the government is not happy and is determined to get it right.

**Ms DELAHUNTY** (Minister for Education) — The honourable member for Bellarine entertained the house in reminding me of a stimulating visit I made to the Bellarine Secondary College. It gave me some of the best publicity I have had since my heyday with the *7.30 Report*. It was a productive little meeting!

**An honourable member** interjected.

**Ms DELAHUNTY** — You can't beat a good picture, as you know, Mr Speaker. Those students asked me more relevant and robust questions than I have been asked in this house as Minister for Education. I have not received any questions on education during question time. What a surprise!

The honourable member for Bellarine gave an eloquent outline of the Bellarine Secondary College's operating on the two-campus model. He talked about the proposal to locate all year 7 and 8 students on the Ocean Grove site, about the review that had been initiated and about some of the decisions that had been made as a result of the review. He referred to the Australian Labor Party going to the people of Bellarine with the promise of a \$3 million upgrade of the site.

The difference between this government and the former government is that any promises Labor made during the campaign were scrupulously costed and independently ticked off by the conservative think tank Access Economics. That differentiates Labor from the Kennett government, which said nothing about education until the dying days of the election campaign, when it threw money around like confetti. The \$3 million upgrade has been announced. The money has been ticked off, and I look forward to the upgrade being implemented.

The honourable member for Caulfield was a bit pressed for time, but I believe she was inquiring about an upgrade of the Caulfield South Primary School, which she asserted the previous government had promised. I am not sure what that means. She also assured the house that the decision was non-political. The only way any school in this state got any money was if the decision was seen to be to the political advantage to the Kennett government. Otherwise, if the school happened to be in a Labor-held electorate it did not even get a foot in the door of 2 Treasury Place.

I ask the honourable member for Caulfield whether the non-political promise was ticked off in the former government's forward budget estimates or whether it involved more funny money being thrown around like confetti. If it was funny money I indicate that the government will not play that game. It will run an operating surplus, be financially disciplined and provide a quality education for all children.

**Mr THWAITES** (Minister for Health) — The honourable member for Essendon raised the issue of health services in the Essendon district. She has certainly been a great advocate for improved services in Essendon. During the past three or four years she has had a hard job because the previous government closed the Essendon hospital, one of 17 hospitals it closed, 5 in the Melbourne metropolitan area and 12 in country Victoria.

The honourable member for Essendon took part in a community campaign to keep the hospital open so that services would continue to be supplied to the citizens of the area, as they had been for many years previously. Unfortunately, the Kennett government proceeded to not only close the hospital but also sell the site. The government is left with the situation of not only the hospital having been closed but also the facility from which it operated no longer being under the control of the government.

However, due to the good work of the honourable member I am now investigating the use of part of the site for public health services. I understand proposals are being examined to provide community health services — such as physiotherapy, podiatry and rehabilitation services — on the former Essendon hospital site. The honourable member for Essendon is part of the planning process. The work she and other members of the community are doing will result in a real improvement of health services for the people of Essendon and the municipality of Moonee Valley. The government is committed to spending something like \$1.7 million over this term to upgrade community health services in the area. If all my investigations prove successful, some of the money will be allocated to the former Essendon hospital site. I congratulate the honourable member for Essendon on her continued hard work in her electorate and her advocacy on health issues.

The honourable member for Sandringham raised a matter concerning the Sandringham and District Memorial Hospital. Although the issue about which he raised concern did not arise until the end of his contribution, I think it related to the government's proposal to abolish the health networks and any effect

that might have on services at the hospital. I assure the honourable member that the government's proposal to abolish the health networks is about improving services in hospitals and, in contrast to the approach of the former government, will in no way lead to any reduction or destruction of those services.

The honourable member for Sandringham raised the issue of the Southern Health Care Network. I point out to him that the network existed when the Mordialloc hospital was closed, and remind him that the former government promised that would not happen. Prior to the 1996 election the honourable member for Mordialloc publicly promised the hospital would not be closed. Shortly thereafter the hospital was closed.

**Mr Thompson** — On a point of order, Mr Speaker, the matters raised related to service delivery at the Sandringham hospital, to which the minister has not yet directly responded. He has indicated that hospital services in general will be sustained, but my constituents want to know what the impact will be on service delivery at the Sandringham hospital, not the Mordialloc hospital, which closed a few years ago.

**The SPEAKER** — Order! A point of order should not be used to repeat the matter raised by an honourable member. I call on the minister to complete his answer.

**Mr THWAITES** — The Mordialloc hospital situation is relevant to Sandringham, and I am surprised the honourable member does not realise that. The closure of the neighbouring hospital has resulted in an increased demand for services, which is why waiting lists have lengthened. The honourable member for Sandringham should be concerned about what happens in all hospitals in his region, not just one hospital.

Some \$18 million will be saved by cutting network bureaucracy and directing that money to where it should go — patient care. That will assist patients at the Sandringham, Frankston and Monash hospitals as well as hospitals throughout the southern suburbs. I assure the honourable member for Sandringham that health services at Sandringham and throughout Melbourne will be improved by the government's proposal to abolish the networks.

**Mr BATCHELOR** (Minister for Transport) — The honourable member for Murray Valley raised a longstanding problem in his area relating to bridges over the River Murray. There are many bridges in that area, some of more importance than others, and in recent times there has been a systematic program to improve access across the River Murray by replacing and upgrading bridges. If my memory serves me

correctly this is not the first time the honourable member has raised the issue, and I am bemused as to why the previous government did not satisfy his requests.

Through personal representations to me, a letter and raising the matter in the adjournment debate this evening the honourable member has asked me to respond to a request made of him at a large public meeting to organise a deputation from people in his area to meet with me. I will arrange for my office to do that.

Given the late nights of this early part of the parliamentary session, I might organise the meeting for the week when Parliament is not sitting or the following week when Parliament resumes so that we can have all the facts before us and be physically better able to deal with the issues at hand. I hope that meets the time line and expectations of the honourable member for Murray Valley. If it is not satisfactory I am sure he will tell me so on a subsequent occasion.

I will listen to his concerns. I will find out whether the previous government had allocated money in the forward estimates, and if such an allocation has been made the situation will be easier. If an allocation has not been made the situation will be more difficult, because the government will not spend money on projects that were not included in the global election promises. Notwithstanding that, I will be pleased to meet a delegation, and I will get my ministerial office to contact the honourable member directly by phone to make the necessary arrangements.

The honourable member for Geelong North raised with me the issue of improving rail transport between Geelong and Melbourne. I am fully aware of his longstanding commitment to this issue. During the recent state election campaign he asked me to accompany him early in the morning visiting stations in the Geelong area to publicise Labor's policies and commitments. In fact, that was one of the issues the honourable member for Geelong North was very strongly pushing in the lead-up to the election. He worked very hard, together with the honourable member for Geelong, in promoting this policy and it gained the acceptance of the local community.

The government is seeking, through the provision of capital, to upgrade the infrastructure so that trains connecting Melbourne to Geelong can reach their capacity and thereby reduce travelling times. The reduction of travel times will bring Geelong closer to Melbourne, as it were, which will be of great assistance to people who commute daily between the two cities.

When we were on the Geelong North station at 6 o'clock in the morning during the election campaign, I was impressed with the very large number of commuters who clearly enjoyed and preferred train travel from Geelong to Melbourne daily to their places of employment. If we can assist by reducing the travel time to around 45 minutes, I think there will be a boost to patronage and great spin-offs will apply not only to commuters but to the whole Geelong community.

As travel times are reduced between Melbourne and important provincial cities, those cities will become more attractive destinations for people to live, and local residents will use the infrastructure to commute to jobs elsewhere. There is a significant and ongoing multiplier effect, rather than simply an initial improvement in services. People living in Geelong will be given the opportunity of seeking new jobs. It will open up the whole Melbourne employment market to people who wish to continue to have a provincial lifestyle yet enjoy all the advantages of working in Melbourne. It will open up more opportunities, such as higher pay, and it will attract more people to the area. It will result in improved property values, and it will be a win-win situation not only for those who reap the immediate benefit but also for the wider community.

The government is committed to undertaking a feasibility study and collecting all the facts and figures. It will then seek to enter into negotiations with the private companies that now provide the service. It will seek the assistance of the honourable member for Geelong North and the new Labor Party members who represent the area, all of whom have provided community leadership. I expect them to continue doing that, and I hope they will join me in introducing and implementing the improved services.

**Motion agreed to.**

**House adjourned 11.53 p.m. until Tuesday, 9 November.**



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