

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

23 November 1999

(extract from Book 3)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

Professor ADRIENNE E. CLARKE, AO

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Tuesday, 23 November 1999

The PRESIDENT (Hon. B. A. Chamberlain) took the chair at 2.03 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

Advance collections: interest

Hon. BILL FORWOOD (Templestowe) — In today's *Herald Sun* the Minister for Small Business is reported as floating a radical plan for bank interest accrued on money collected from the community to be returned to the community. On radio 3AW this morning the Premier ran away at 100 miles an hour from what the minister said. Is the government going to proceed with the minister's proposal?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I did not raise that issue with the journalist concerned.

Hon. M. A. Birrell — That is enough. That is what we thought was the case.

Hon. M. R. THOMSON — That is good. I did raise the issue of residential tenancy interest that the government has the right to hand back to the community. The issue of current interest rates was discussed as well as the fact that because they were so low and almost insignificant it was not an issue at this time. The government is prepared to review the issue should interest rates continue to rise.

Industrial relations: public sector

Hon. G. D. ROMANES (Melbourne) — Will the Minister for Industrial Relations advise the house of the consultative approach the government will take when implementing structural or other major changes that will affect its employees?

Hon. M. M. GOULD (Minister for Industrial Relations) — Unlike the previous government, the Bracks government believes consultation with its employees is a good thing. I have directed my department to advise all departmental heads that when the government has made a decision that involves structural or technological change within the Victorian public service that policy is to be implemented through consultation with all its employees and their employee representatives.

The government believes consultation is a good industrial work practice. It is good to implement proposals about which the government has made a

decision effectively and efficiently through consultation with its workers — that is, employees and employee representatives.

All Australian workplaces that are covered under federal awards and good workplace relations involve the notification by employers to employees of structural changes that may be implemented, but the Victorian state public service has not had that opportunity. The government, through the directions I have given, will ensure its employees and their representatives will be made aware of government policy.

Advance collections: interest

Hon. M. A. BIRRELL (East Yarra) — I refer the Minister for Consumer Affairs to her response to the question from the Deputy Leader of the Opposition regarding her reported comments in this morning's *Herald Sun* and I note the minister's denial that she made comments as reported in the paper. I seek the minister's response as to whether she said:

Where money is collected in advance, there is a real question about who the interest belongs to.

She is then reported as saying that one option was to direct the interest to a community fund. Is the *Herald Sun* inaccurate about the minister's comments relating to a community fund?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — The first part of the article about who owns the interest is accurate, but the reported comments about the community fund are inaccurate. I did not say that.

Water Safety Week

Hon. T. C. THEOPHANOUS (Jika Jika) — Will the Minister for Sport and Recreation advise the house on what the government is proposing to do to emphasise the need for water safety this summer on our beaches and waterways?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — As part of the Play it Safe by Water campaign which aims to create a water safety culture in Victoria, the Premier and I will be launching Water Safety Week this Saturday. The campaign will be an excellent opportunity to raise the awareness of all Victorians about water safety issues. The campaign will receive great support from regional centres and a range of water safety related organisations. Some activities include: boating safety checks at boat ramps; water safety displays and promotions at many aquatic centres;

opening of the beach patrol system; and body boarding sessions at venues on Port Phillip Bay.

In addition, an awareness and activities guide will be distributed to schools and swimming pools that outlines a wide range of ideas and activities in Water Safety Week.

Workcover: premiums

Hon. P. A. KATSAMBANIS (Monash) — Will the Minister for Small Business guarantee that under this government Workcover premiums for small businesses will not increase? What action will the minister take to ensure that premiums for small business will not increase?

Honourable members interjecting.

Hon. T. C. Theophanous — Premiums went up under you!

The PRESIDENT — Order! I suggest that Mr Theophanous not help the minister and that the opposition allows her to answer the question.

Hon. M. R. THOMSON (Minister for Small Business) — Workcover premiums are an issue for the Minister for Workcover.

Honourable members interjecting.

Hon. K. M. Smith — On a point of order, Mr President, the minister was asked what action she will take in her capacity as Minister for Small Business. The minister cannot handball the question. She has to answer it, and answer it correctly.

Hon. M. M. Gould — On the point of order, Mr President, the minister was asked a question about Workcover premiums. When similar questions have previously been asked it has been the responsibility of the Minister for Workcover to answer them. Some honourable members would have received answers to such questions from the Minister for Workcover. I believe the minister has answered the question appropriately.

Hon. M. A. Birrell — Further on the point of order, Mr President, in response to the Independents charter the government said it would answer questions directly and deal responsively with the issues that are raised. The minister has completely ducked her responsibility to deal specifically with the question asked, which was about the actions the Minister for Small Business would take — not some other minister. Never before during question time — as opposed to the adjournment

debate — have I heard a minister take such an offhand approach to answering a question.

The minister was asked to outline what the Minister for Small Business would do. It is unprecedented and improper for the minister to simply not answer a question on her small business portfolio.

The PRESIDENT — Order! I ask Mr Katsambanis to re-read the question.

Hon. P. A. Katsambanis — My question is specifically directed to the Minister for Small Business. Will the minister guarantee that under this government Workcover premiums for small businesses will not increase? What action will the minister take to ensure that premiums for small business will not increase? The question was specifically directed to the minister's small business portfolio. I expect an answer, and the small businesses of Victoria expect an answer.

The PRESIDENT — Order! The rules on answering questions are clear. In this case I do not believe the minister's answer was responsive to the question. The question was clearly directed to the minister in her role as an advocate for small business. I will give her the opportunity to reconsider her answer and amplify what she previously said.

Hon. M. R. THOMSON — Yes, I am concerned about Workcover premiums. In my role as cabinet minister I intend to speak on behalf of small business about any changes that may be proposed to Workcover. I do not have ministerial responsibility for the setting of premiums; however, I will be representing small business in any discussions that are held.

Marine safety: regulations

Hon. D. G. HADDEN (Ballarat) — Will the Minister for Ports advise the house of the proposed marine regulations and, in particular, the proposed marine safety regulations for the Lakes Entrance bar and Port Phillip Bay Rip?

Hon. C. C. BROAD (Minister for Ports) — I get a chance to talk about ports after all! Members may be aware that the proposed replacement marine regulations appeared in press advertisements on 13 November. Included in the advertisements was a proposal for a regulatory impact statement, which is currently out for public comment.

The introduction of a modern marine safety act is under consideration in the longer term. Honourable members may be aware of weekend reports of the hospitalisation of a family following a fire on a half-cabin cruiser, and

before that reports of two drownings in Port Phillip Bay following the capsizing of a yacht. Those incidents underline the importance of getting things right in the marine safety area.

The proposed marine regulations are similar in effect to the existing regulations. However, they differ in some important respects — particularly in relation to improving safety — something the previous government did not manage to do. In particular, they will improve safety in some important stretches of water — namely, the Lakes Entrance bar and the Port Phillip Bay Rip — which the previous government did not do.

Currently, a commercial vessel is prohibited from carrying passengers across the Lakes Entrance bar if the vessel is surveyed at Lakes Entrance. No such prohibitions or restrictions apply if the vessel comes from elsewhere. In addition, vessels carrying passengers through the Port Phillip heads have conditions placed on them only through the survey process. The view now is that the use of survey conditions is no longer adequate to apply minimum safety standards to commercial vessels that carry passengers across those dangerous stretches of water. Accordingly, the proposed regulations allow commercial passenger vessels to operate in those waters, but only subject to clear and unambiguous safety requirements relating not only to vessel construction but to safety equipment for passengers, the briefing of passengers, operator competency and local knowledge. They also prohibit those vessels operating under unsafe weather conditions.

I am confident that the proposed regulations will satisfy the desire of the Lakes Entrance community to reopen the Lakes Entrance bar in a manner that is safe for everybody concerned. I look forward to receiving public comment on the proposed regulations before the end of December, when they will need to be put in place.

Petrol prices

Hon. E. G. STONEY (Central Highlands) — The minister for Consumer Affairs has announced that the government intends monitoring petrol prices in Victoria. Is it a fact that the government has no plans to introduce legislation or regulations that may assist in lowering petrol prices in country Victoria?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the honourable member for his question. At no stage has the government indicated that it is looking at legislation relating to petrol pricing.

What is stated in the paper, as Mr Stoney will see, is the collection of data placed before the Australian Competition and Consumer Commission.

An opposition member interjected.

Hon. M. R. THOMSON — They do not run blitzes. We will be running a number of blitzes in areas of concern to consumers where they need to be made aware of their rights.

The PRESIDENT — Order! The minister will answer through the Chair, so the Chair can hear what she is saying.

Hon. M. R. THOMSON — I was saying that we will be running a number of blitzes out of the Office of Fair Trading and Business Affairs on the issues that concern consumers.

Hon. M. A. Birrell — Put out a pamphlet!

Hon. M. R. THOMSON — The former government put out pamphlets. This government will raise awareness to ensure that consumers are aware of their rights.

Mildura business excellence awards

Hon. KAYE DARVENIZA (Melbourne West) — Will the Minister for Small Business inform the house of the results of the recent Mildura Chamber of Commerce Business Excellence Award?

Hon. M. R. THOMSON (Minister for Small Business) — Last Thursday night I was fortunate enough to be in Mildura for the Mildura business excellence awards. Approximately 3000 small businesses are located in the Mildura region, including businesses in the manufacturing sector servicing new home-based areas, agriculture and agriculture support. The town is growing well. Part of the reason might be the recent television series that has made Mildura an even greater tourist attraction. The overall winner of the prize was Stefano's Restaurant. The other winners included Showboat Avoca, Tekace Communications, Jaydee Groundcare Centre, Rockmans Stores, Irymple Canvas and Boulevard Nurseries. Employees also received awards on that night. It was a night of sharing excellence among employees and small business owners.

Workcover: definition working party

Hon. R. M. HALLAM (Western) — I note that the Minister for Workcover, the Honourable Bob Cameron, has decided to establish a representative working party

to consider the definition of 'seriously injured' for the purposes of workers compensation, and I ask the Minister for Small Business whether she expects to be represented on that working party to protect the interests of small business.

Hon. M. R. THOMSON (Minister for Small Business) — Discussions on the composition of that committee are being conducted. I will be advocating representation of small business interests.

Sport: country athletes

Hon. E. C. CARBINES (Geelong) — Will the Minister for Sport and Recreation advise the house what action Sport and Recreation Victoria is taking to assist the development of country-based athletes?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — As part of the government's plan for reviving rural and regional Victoria, and in recognition of the barriers faced by country athletes, the minister — myself — has approved — —

Hon. M. A. Birrell — On a point of order, Mr President, it is dreadfully apparent that the minister is just reading a script that has been provided to him, and he has read the words 'the minister', referring to himself. It is not tolerable for a minister to read an answer to a question, and I ask that you, Sir, instruct the minister to that effect, and if necessary that you have the minister table his answer so the house does not have to listen to him reading it.

The PRESIDENT — Order! Based on the practices of the house there is no point of order. It has been common in the past for ministers to read answers. However, it is better if they can extemporise to show they are in command of the issue. I do not uphold the point of order.

Hon. J. M. MADDEN — I was referring to notes because there are some figures I want to quote to reinforce the point.

Honourable members interjecting.

The PRESIDENT — Order! The question has been asked, and the minister is entitled to be heard in reasonable silence. I ask that the minister be accorded that courtesy.

Hon. J. M. MADDEN — There is a 50 per cent increase in annual funding for this year's Victalent program, from \$80 000 to \$120 000. Through this year's allocation approximately 300 talented young athletes will receive funding of between \$250 and \$600.

In addition to the cash grants, selected athletes will receive commercial sponsorship in the form of free inner city accommodation and free travel to several destinations. That will assist young athletes to train and compete in central Melbourne and/or regional areas. It is not to supplement the athletes' income but to assist them in achieving their potential.

PETITIONS

Frankston–Flinders and Stony Point roads: intersection

Hon. K. M. SMITH (South Eastern) presented a petition from certain citizens of Victoria requesting that serious consideration be given to suitable adjustments to the intersection of Frankston–Flinders Road and Stony Point Road, so as to streamline the flow of traffic and reduce hazardous conditions (2820 signatures).

Laid on table.

Legislative Council: proportional representation

Hon. BILL FORWOOD (Templestowe) presented a petition from certain citizens of Victoria praying that the method of electing members of the Legislative Council be changed to proportional representation so that the proportion of the vote that each party or Independent achieves is represented by their members in the total number of members in the Council (68 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

- Auditor-General's Office — Report, 1998–99.
- Bethlehem Hospital Incorporated — Report, 1998–99 (two papers).
- Caritas Christi Hospice Limited — Report, 1998–99.
- City West Water Limited — Report, 1998–99.
- Corangamite Catchment Management Authority — Report, 1998–99.
- Director of Public Prosecutions Office — Report, 1998–99.
- East Gippsland Catchment Management Authority — Report, 1998–99.
- Electoral Commission — Report, 1998–99.
- Equal Opportunity Commission — Report, 1998–99.

Financial Report for the State of Victoria (incorporating the Annual Financial Statement) —

Treasurer's report of failure to submit 1998–99 report within the prescribed period and the reasons therefor.

Report, 1998–99.

First Mildura Irrigation Trust — Report, 1998–99.

Gippsland and Southern Rural Water Authority — Report, 1998–99.

Glenelg Hopkins Catchment Management Authority — Report, 1998–99.

Goulburn Broken Catchment Management Authority — Report, 1998–99.

Goulburn Murray Rural Water Authority — Report, 1998–99.

Human Services Department — Report, 1998–99.

Lake Mountain Alpine Resort Management Board — Minister for Environment and Conservation's report of 19 November 1999 of receipt of report for the period 30 April 1998 to 31 October 1998.

Mallee Catchment Management Authority — Report, 1998–99.

Mt Baw Baw Alpine Resort Management Board — Minister for Environment and Conservation's report of 19 November 1999 of receipt of report for the period 30 April 1998 to 31 October 1998.

Mt Stirling Alpine Resort Management Board — Minister for Environment and Conservation's report of 19 November 1999 of receipt of report for the period 30 April 1998 to 31 October 1998.

Multicultural Commission — Report, 1998–99.

North Central Catchment Management Authority — Report, 1998–99.

North East Catchment Management Authority — Report, 1998–99.

North Western Health Care Network — Report, 1998–99 (two papers).

Office of Public Employment — Report, 1998–99.

Parliamentary Committees Act 1968 — Minister's response to recommendations in Federal–State Relations Committee's Report upon Federalism and the Role of the States: Comparisons and Recommendations.

Peninsula Health Care Network — Report, 1998–99.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bayside Planning Scheme — Amendment L14.

Frankston Planning Scheme — Amendment L87.

Hobsons Bay Planning Scheme — Amendment L17.

Kingston Planning Scheme — Amendments L43 and L44.

Nillumbik Planning Scheme — Amendments L21 and L26.

Shepparton — Greater Shepparton Planning Scheme — Amendment C2.

Yarra Planning Scheme — Amendment C4.

Port Phillip Catchment and Land Protection Board — Report, 1998–99.

Queen Victoria Women's Centre Trust — Report, 1998–99.

Southern Health Care Network — Report, 1998–99.

St Vincent's Hospital (Melbourne) Limited — Report, 1998–99.

State Trustees Limited — Report, 1998–99 (including financial statements of the Common Funds) (two papers).

Statutory Rule under the Road Safety Act 1986 — No. 120.

Strawberry Industry Development Committee — Minister for Agriculture's report of 10 November 1999 of receipt of the 1998–99 report.

Sunraysia Rural Water Authority — Report, 1998–99.

Victorian Government Purchasing Board — Report, 1998–99 (including the Annual Procurement Report) (two papers).

West Gippsland Catchment Management Authority — Report, 1998–99.

Wimmera Mallee Catchment Management Authority — Report, 1998–99.

Wimmera Mallee Rural Water Authority — Report, 1998–99.

Women's and Children's Health Care Network — Report, 1998–99.

Yarra Valley Water Limited — Report, 1998–99.

MINISTERIAL STATEMENT

Parliamentary committee reports

Hon. M. M. GOULD (Minister for Industrial Relations) — There are 12 parliamentary committee reports from the last Parliament to which, under the Parliamentary Committee's Act, the government is obliged to respond before the end of the year.

On 4 November the government tabled interim responses to the recommendations contained in the report of the Scrutiny of Acts and Regulations Committee on the right to silence and the report of the Law Reform Committee on the review of the Fences Act.

Today an interim government response to the report on federalism and the role of the states by the Federal–State Relations Committee was also tabled. The government has decided that in a further six cases, it is also appropriate to table interim responses.

It is with considerable reluctance that the government has decided to adopt the approach of tabling interim responses to a number of parliamentary committee reports. However, it is advised that such an approach is consistent with the Parliamentary Committees Act 1968 and it has decided that it is in the interests of good government to do so.

Good government demands that the government's responses to the difficult and complex issues raised in the reports should be fully considered. The report on the right to silence is a case in point. The report raises a host of complex philosophical, practical and legal issues, and it is essential that the response be fully informed and well considered.

Moreover, it would be an insult to the careful and detailed work that has gone into the reports if the government were to table final responses without giving the same careful and detailed consideration to the recommendations contained in them. Yet if interim responses to a number of reports are not tabled, that will be the consequence. In the few weeks since the Governor commissioned the new government, it has not been and may not be possible for ministers to give appropriate detailed consideration to a number of the reports, details of which follow:

1. Scrutiny of Acts and Regulations Committee's report on the right to silence;
2. Law Reform Committee's report on the review of the Fences Act 1968;
3. Federal–State Relations Committee's report on federalism and the role of the states: comparisons and recommendations;
4. Federal–State Relations Committee's report on the register of specific purpose payments received by Victoria;
5. Law Reform Committee's report on criminal liability for actions performed while in a state of self-induced intoxication;
6. Law Reform Committee's report on technology and the law;

7. Public Accounts and Estimates Committee's report on annual reporting in the Victorian public sector;
8. Public Accounts and Estimates Committee's review of the Auditor-General's reports nos 39 to 41; and
9. Road Safety Committee's report on the incidence and prevention of pedestrian accidents.

I assure the house that, in relation to the right to silence report and the other instances where the government intends to table interim responses, final responses will be tabled as soon as possible. If it is not possible to do so this year, final responses will be tabled in the autumn sittings next year.

Hon. N. B. Lucas — On a point of order, Mr President, section 40(2) of the Parliamentary Committees Act states:

Where a report to the Parliament of a Joint Investigatory Committee other than the Public Bodies Review Committee recommends that a particular action be taken by the government with respect to a matter, the appropriate responsible Minister of the Crown shall, within six months of the report of the Committee being laid before both Houses of the Parliament, report to the Parliament as to the action (if any) proposed to be taken by the Government with respect to the recommendation of the Committee.

Is the proposal of the Leader of the Government to make such a general response, which does not address the specific recommendations, in order?

The PRESIDENT — Order! As I understand it, the minister's proposal is not a response to those provisions; it is a statement of intention to make responses after the issues have been properly considered. Because it is a new government, I believe that is reasonable. The point Mr Lucas made is that that does not take away the obligation to provide formal responses. The minister said formal responses will be given to all reports before the end of the autumn sessional period. It is not in the hands of the house how the government reacts.

Few Parliaments have that important legislative provision. It ensures that a definitive response is made to a recommendation of a parliamentary committee that has put a lot of work into its report. The minister gave an undertaking that she will take the obligation seriously. The minister said more time is required, and that is reasonable. An undertaking has been given that the formal responses in accordance with the provisions will be provided to both houses before the end of the autumn session next year.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 10 November; motion of Hon. C. C. BROAD (Minister for Energy and Resources) for adoption of address-in-reply.

Hon. D. G. HADDEN (Ballarat) — It is with great pleasure that I acknowledge the address of the Governor at the opening of the first session of the 54th Parliament on 3 November. That address represents the values of the Bracks Labor government. His Excellency spoke of the values that will be the hallmarks of the government's program of legislation and the measures against which it will be proud to be judged.

I was elected to Ballarat Province and succeeded the retiring former member, the Honourable Dick de Fegely, on 18 September. I acknowledge him for having represented the constituents of Ballarat Province since his election in 1985.

Ballarat Province covers approximately 15 917 square kilometres of rural Victoria. It takes in the four lower house seats of Gisborne, Ballarat East, Ballarat West and Ripon. The voting population is approximately 129 169 people in rural areas, regional towns, significant tourist areas as well as the City of Ballarat, Victoria's largest inland city.

The major centres are Ballarat, Daylesford, Hepburn Springs, Hanging Rock, Ararat, Maryborough, Bacchus Marsh, Kyneton, Woodend and Gisborne. The industries are agriculture, grazing, manufacturing, mining, quarrying, timber production, winemaking, wool production, education, information technology and, of course, tourism.

The City of Ballarat, with a population of approximately 83 000, is Victoria's largest inland city and was once one of the principal goldmining centres of Australia. It also features significant tourist areas, such as Daylesford, Hepburn Springs, Hanging Rock and the Pyrenees.

I live at Creswick, a small rural town with a population of approximately 2200. It is situated on the Midland Highway approximately 18 kilometres north of Ballarat. I should like to inform the house a little about my community of Creswick, which is known as the Home of Forestry.

Dr Robert and Mrs Jane Lindsay, together with their 10 children, lived at the corner of Cambridge and Victoria streets, Creswick, after 1872. Lisnacrieve, their

family home, was a large rambling house that was demolished in the late 1960s. However, the famous drawing room has been reconstructed with the equally famous magic pudding as a permanent display at the Ballarat Fine Art Gallery.

From 1881 only 5 of the 10 Lindsay children attended the Creswick Church of England Grammar School — Percy, Robert, Lionel, Norman and Pearl.

Sir Daryl Lindsay spent nine years at the Creswick State School, SS122, describing it as a:

... hideous building with classrooms painted a dingy yellow with a chocolate-coloured dado.

He found his schooling to be a loathsome experience from which he never recovered.

While in his early 20s, Percy Lindsay produced paintings of local scenes that endowed Creswick with the unique record of its heyday as a mining and rural community, including its Chinatown.

Norman Lindsay considered the feminine image a dominant factor in his concept of life. He admired the beauty of women, and his erotic etchings and brilliant and evocative watercolours always found a ready market. Norman also wrote 11 novels, including *Redheap*, *Saturdee-Halfway to Anywhere* and the *Magic Pudding*, which incorporated Creswick's social history of the time as well as being entertaining and proving that children prefer food to fairy stories.

Ruby Lindsay, who was born in 1887, asserted her independence by signing herself as Ruby Lind. Ruby was a regular contributor to magazines of the day. Her career flourished after she submitted the best poster at the Australian Exhibition of Women's Work and completed the sketches for Rudd's *Back at Our Selection* with her light and decorative line.

Ruby married Will Dyson, a political cartoonist, on 30 September 1909 at the age of 22. They were married at the Wesleyan church next door to Lisnacrieve in Victoria Street. It has been written that to avoid the crowd of local onlookers, instead of walking from her family home to the altar she shinnied over the back fence and entered the church through the vestry. Ruby and Will Dyson travelled to England five days after their marriage. There Ruby contributed to several British periodicals, including the *Suffragette*, and sent some works such as *Lone Hand* back to Australia. After the Great War the Dysons went to Ireland for a family holiday with their young daughter. Within a week of their return to England, Ruby died at the age of 32 from the 1919 influenza epidemic that ravaged Europe. In his

History of English Art Maldane McFall described Ruby Lind's talent as:

... the finest pen line of any living British woman artist.

The Creswick museum is housed at the former Shire of Creswick offices in the old Creswick town hall, a magnificent National Trust-classified two-storey building with a tower and clock circa 1876. The interior is notable for its classic winding staircase of local basalt, its balcony and 19th century architectural features. It is truly a magnificent building, standing as a sentinel in Albert Street. On permanent display is an extensive collection of Lindsay drawings, etchings, watercolours, oil paintings and books, including one work of Reginald Lindsay who was killed during the Great War.

Other special features of the Creswick museum collection are the art works of T. G. Moyle and W. Tibbits, which depict the life of early Creswick and district; a special collection bequeathed to the museum by deceased local artist immigrant, Victor Litherland, including his paintbox and easel; and an invaluable aid to historical research are the some 87 local family histories now published in book form.

The mining room contains relics of early settlement and the boom mining period in the Creswick and Smeaton districts. There is Captain Smeaton's family bible, wallet and watch, the flag of the Berry Number One Mining Company, the ninth largest gold producer on the leads, the weights and measures of the former Shire of Creswick, gold scales and other relics.

The former Shire of Creswick council chamber, retained as it was at the end of the 1900s, is believed to be the only one still in existence in Victoria. Hanging on its walls are large portraits of former mayors and other famous people associated with Creswick's development. They include Sir Alexander Peacock, John Curtin, John Anderson, who was shire councillor for 35 years until his death in 1895, and Alexander Thomson Creswick, the son of Henry Creswick. The mayor's gavel sits on the mantelpiece over the open fireplace.

Standing like a sentinel in Albert Street in what was called Market Square is the majestic bandstand built to commemorate the 60th diamond jubilee of Queen Victoria's reign on 21 June 1897.

Smeaton boasts Andersons Flour Mill, which was built in 1861 at Birch's Creek on part of the headwaters of the Loddon River. It is a massive bluestone building of five storeys. It operates the largest water-powered wheel in the Southern Hemisphere and was built in

Ballarat. It weighs 25 tonnes and measures 25 feet in diameter.

The Creswick Bowling Club will celebrate its 125th year in March 2000. On 3 March 1875 a meeting of gentlemen interested in the formation of a bowling green and club met at Leake's Hotel in Creswick. Two days later the council announced that it had granted use of a piece of ground for a bowling club at the corner of the cricket reserve. Subscription to the bowling club was 1 guinea per annum.

In 1929 the Leopold Park bowling green was abandoned and on 6 November 1931 the Creswick Bowling and Croquet Club was established at its current site in Albert Street. On 26 November 1931 the greens were officially opened by the mayor, Mr W. Marchment. Sir Alexander Peacock bowled the first bowl and Lady Millie Peacock hit off the first ball on the croquet lawn.

The Buried Rivers of Gold Heritage Trail enables visitors to experience the sights and stories of the area's goldmining history and settlement. A deep lead is termed a buried river of gold. There are five deep leads, each part of the river system, comprising approximately 120 mine sites.

Gold fever struck Creswick early as massive alluvial mining operations were developed in the gullies and creeks. Gold was first discovered in Clunes in 1851. In 2000 Clunes will be shared by Wesley College students, who will spend eight week blocks of their school year residing at the newly built Clunes campus.

In the late 1850s Chinese miners re-washed the entire creek bed system in their search for gold. In 1998 near Callembeen, Melbourne City Councillor, Mr Wellington Lee, one of the descendants of the early Chinese traders who established themselves at the Chinese camp at Creswick, unveiled a commemorative plaque to the Chinese.

The John La Gerche walking track was launched at the Creswick Landcare Centre in March 1999. The discovery of forest bailiff John La Gerche's letter books in 1984 inspired Mr Ron Hatery, former student, local natural historian and senior lecturer at the Creswick campus of the School of Forestry of the University of Melbourne. The discovery of La Gerche's letter books provided a goldmine of information.

The history was carefully compiled by Creswick's first forester and one of Victoria's first land carers. It is a neat and meticulous hand-written record of the daily work of the forest bailiff appointed to the Ballarat-Creswick state forest. La Gerche's letter books

recorded in detail the immense tasks he tackled between 1882 and 1900 in rehabilitating ravaged mining land and restoring it to forest. It also detailed his establishment of a nursery at Sawpit Gully, his experiments with many species of deciduous, conifers and eucalyptus trees and the planting of 100 000 seedlings raised at the new nursery established in 1889 at the abandoned New Australasia Mine at North Creswick.

That nursery was a model for mining communities throughout Victoria about how to reclaim the land. He laid the foundations for the modern softwood plantation industry. The Sawpit Gully plantation was at its largest in 1899 when it covered some 300 acres and contained a total of 24 600 trees. This sawmiller-turned-forest guardian believed the forest should be managed and conserved for the future. John La Gerche died in Ballarat in 1914 at the age of 68. The old state nursery circular building at the Creswick Landcare Centre is a two-storey office that was built in about 1912–1913. It still stands and was restored in 1998.

The Sawpit Gully section of the La Gerche walking track with its approximately 2 kilometres of nine interpretative signs was established with a federal government grant.

There was also the administrative and practical work done by Department of Natural Resources and Environment Creswick Landcare officers and School of Forestry students, the Langi Kal Kal work group and Parks Victoria, as well as the tremendous support for the project given by local community volunteers from the Creswick and District Development Association, the museum committee, the historical society and many others.

The Koori Heritage Tour provides information about the Dja dja wurrung tribe. Creswick was one of the richest areas in Australia for the food harvested by Koori people. Aboriginals from the Bulluk horde of the Wathaurong tribe visited the prolific and beautiful valley known to them as Collumbeen, the name of which was later changed by the early white settlers to Bean Bean and eventually named Creswick Creek. I pay tribute and my respects to the Wathaurong and Dja dja wurrung tribes who once inhabited the Ballarat and Creswick areas.

In 1837 the Birch brothers settled at Kingston and named their sheep run Seven Hills. In 1838 Captain William Coghill settled on sheep runs known as Glendaruel and Glendonald. Mr J. Clark then established the Dowling forest estate. In 1842 the Creswick brothers, John, Henry and Charles, took over

the run, which became known as Creswick Creek. Creswick had emerged as a town in 1853, named after the nearby creek on which Captain John Creswick had established his homestead. The municipal district was established in 1858 under the Municipal Institutions Bill. In 1861 there were nine gold towns with municipal districts, which covered only part of the diggings. The quiet progress of the squatting period was interrupted by the finding of gold in 1851 and afterwards.

The Creswick Blue Light Returned and Services League light horse troop was formed in 1995 under the auspices of the local Creswick police sergeant, Garry Chandler. Since then the members of the troop have been seen in Anzac parades at Creswick and at the fourth annual Creswick Spring Fiesta, which was held in October last. Some 28 young people, who dress in the military attire of riders, foot soldiers and nurses, form the largest light horse troop in Victoria. Four of those young people, Hannah Aumann, Laura Woodward, Dane Woodward and Mark Hansen, have just ridden over 800 kilometres to Canberra to commemorate the centenary of the Boer War and to raise money and awareness of the event. Mr President, you may have read about their courageous journey on horseback and seen them on the television. So spectacular is the group that the Victorian RSL has accepted it as its only affiliated light horse troop.

The Vertex Theatre Kids, which is a non-profit organisation based at the Creswick town hall, has been operating for 38 years. It is run by Harald and Arlene Jeffreys, Gayle Atkinson and other volunteers. Some 80 young people are involved each year in staging two or three productions for the locals, as well as special school productions for the senior citizens club and day centres. At no stage during its 38 years of operation has Vertex Theatre Kids applied for or received any municipal or government funding.

There are a number of prominent Creswickians who have left their mark on Australia's history, and I will mention but a few. The Right Honourable John Curtin, Australia's great wartime Labor prime minister, was born at Creswick on 8 January 1885, the son of a local police officer. His family moved to Brunswick when he was about six years old. He became prime minister on 7 October 1941 and died in office in Canberra on 5 July 1945. He was known as a native of Creswick. In response to a congratulatory message from Creswick on his becoming prime minister, Mr Curtin sent an historic message to the citizens of Creswick that states:

I shoulder a tremendous responsibility; but I confidently feel that the struggles of early life will fortify me against the stern days ahead. I have never forgotten my birthplace, and I have often recalled, with pride, the number of great men who can

claim it as such. It will be my fervent hope and deep-seated desire to worthily uphold the record of achievement which Creswickians have gained ...

In 1985 Creswick celebrated the centenary of John Curtin's birth with an address entitled *John Curtin — A Man of Calm and Reason* given by the Honourable Kim Beazley, Sr, to children at two of the local primary schools and to those who attended a dinner held at the Creswick golf club. The John Curtin Memorial Hostel for the Aged in Creswick was named in 1985 by the Right Honourable Robert J. Hawke, the then Prime Minister.

The Honourable William Guthrie Spence, MHR, arrived in Creswick with his parents in 1853 at the time of the gold rush. As a young man he worked in the deep alluvial goldmines. In 1878 he organised the Creswick Miners Union, whose first president was Mr John Sampson, the maternal grandfather of the Honourable Robert G. Menzies, former Prime Minister of Australia. Under Mr Spence's guidance that union expanded into the colonies and New Zealand. Later, he founded the Amalgamated Shearers Union, which evolved into the Australian Workers Union. It is written that:

... of the giants of unionism ... W. G. Spence was the most notable.

So that dynamic movement of unionism started in the little town of Creswick. Sadly, Mr Spence's association with the Labor Party ended during the Great War of 1914–18 over the issue of conscription, when he was compelled to choose his country over his party.

Sir Alexander Peacock, KCMG, was an eminent, well-known and well-liked parliamentary representative for Clunes and Allendale from 1889 to 1904 and for the electorate of Allendale, including Creswick, from 1904 until his sudden death on 7 October 1933. He was Creswick's member of Parliament for 44 years. Alexander James Peacock was born in Creswick on 11 June 1861. His father, James Peacock, was a local tailor. He attended the local Creswick grammar school, where he later taught. On 1 January 1901 at Port Fairy he married Millie Gertrude Holden from East Framlingham. They lived all of their 32 years of marital life in an ordinary weatherboard period house that still stands in Cambridge Street, Creswick.

Alexander Peacock was first elected to Parliament at the age of 28. He attained the position of Premier of Victoria on three occasions and minister of education on six occasions.

Alexander Peacock was known as the 'father' of the Factories and Shops Act (Amendment) Bill, which he introduced in 1895 to abolish the sweating evil. He

inaugurated the wages boards, one of the greatest forces ever introduced for the welfare of the worker.

Alexander Peacock was a member of the federal convention, which was elected by popular vote and which drew up the commonwealth constitution, and he was made a Knight Commander of the Order of St Michael and St George for his great contribution in 1904.

Alexander Peacock was a true native of Creswick and was very community minded. He was three times elected chief president of the Australian Natives Association, and Ballarat was its headquarters. He was grand master of the Grand Lodge of Freemasons of Victoria. In the history of Creswick Havilah Lodge No. 26, Sir Alexander is described as the most illustrious of Havilah's sons and was indeed the Most Worshipful Brother for nearly 51 years. He never neglected his mother Lodge, and was as frequent in attendance as his duties permitted. It was not unusual for Creswick Havilah to receive an apology by telegram saying that Sir Alexander had missed the train at Melbourne.

He held the office of Speaker of the Legislative Assembly from 1928 until his untimely death on 7 October 1933 at the age of 72. It was written by Don Graham at page 272 of *Victoria — a History*, which was published in 1984, that Peacock was frustrated by the Legislative Council in his attempt to bring about such reforms as women's suffrage, education, factories and shops control, and the powers and constitution of the Council. Yet his wife, Lady Millie Peacock, would succeed him at a by-election caused by his death and become the first woman member of Parliament of Victoria at the age of 63.

Sir Alexander Peacock was baptised in and worshipped at the 1861 Gothic bluestone St John's Anglican Church, then the Church of England, in Napier Street, Creswick, all his life. He was truly loved and respected by Creswickians of all denominations and from all walks of life. On the south wall of the church is a memorial brass plaque erected by his then widow, Lady Millie Gertrude Peacock. The last line reads:

He being dead yet speaketh.

Directly opposite, on the north wall of St John's, is another plaque for Lady Millie Peacock 'erected by her sisters' on her death on 7 February 1948. Lady Millie Peacock bequeathed to St John's Anglican Church her late husband's Speaker's chair from the time when he sat in the other place, which is now used as the priest's seat. The beautifully carved wooden chair was a wedding gift to the Honourable A. J. Peacock in 1901

from the United Furniture Trade Society of Victoria, and I quote

... as a slight token of esteem and in recognition of earnest labour on behalf of the factory workers of Victoria.

There is a stone obelisk erected in Cambridge Street, Creswick, opposite the Peacock house, as a tribute to Sir Alexander Peacock. Its inscription reads:

He put first things first.

Alexander Peacock is buried at the Creswick Cemetery in a simple grey marble and stone grave next to the family plot of his parents and his brother, Andrew. There is no fancy headstone or decoration, and simple lettering is all that adorns the grave. His wife, Millie Peacock, is buried with her husband.

Sir Alexander Peacock died on Saturday 7 October 1933 at his home at Creswick. He was then the Speaker of the Legislative Assembly and had been in that esteemed position since 1928. When state Parliament's bells rang in the other place on Tuesday, 10 October 1933, the sitting lapsed for want of a quorum. Parliament, in effect, closed down and resumed at Creswick. The Premier of the day, Sir Stanley Argyle; the Leader of the Opposition, Mr Tunnecliffe; the President of the upper house, Sir Frank Clarke; members of all parties in Parliament; dignitaries and guests all travelled together on the special morning train from Melbourne to Ballarat and on to Creswick for the funeral with full state and masonic honours.

The funeral service was held at Sir Alexander Peacock's beloved St John's church and there was a masonic service at the gravesite. The population of Creswick trebled on that very sad day. Shops and schools closed, and schoolchildren and citizens lined the street as the funeral hearse led by Mr Pasco, the local undertaker, proceeded to the Creswick Cemetery, where the man they had known as their friend, as the 'laughing Premier' and 'the best Speaker the house had ever had', was laid to rest.

At the by-election held on 11 November 1933, Lady Millie Gertrude Peacock, widow and aged 63 years, succeeded her late husband as the member for the electorate of Allendale. Lady Millie received 1500 more votes than the Labor candidate, Mr McAdam, and became the first woman ever to be elected to the Victorian Parliament — and from Creswick. She did not seek re-election at the expiration of her term in 1935 and retired from Parliament.

Lady Peacock made just one speech in Parliament, in the other place on 5 September 1934, at the end of her period of mourning. It was a rather controversial speech

at the time on the all-important subject of the time, the Factories and Shops Bill, and in particular on clause 23 of the bill, which dealt with out-workers, their children and persons employed by them. At the conclusion of her speech, Lady Peacock said she was very proud to have been able to stand up in the house that was really representative of the people.

Lady Millie Peacock, MLA, had been described as a popular and active supporter of her husband. It was said of her that she was of kindly disposition and winning ways. Lady Millie was the first president elected to the Creswick branch of the Australian Red Cross Society, on 31 May 1915. She switched on the power and light in Creswick on 24 November 1937 in the presence of thousands of enthusiastic spectators. In 1941, after 26 years of service, she was one of the three original committee members of the Creswick branch of the Australian Red Cross Society remaining in office. She was described by Mr Lemmon, the member for Williamstown, in his condolence speech on 11 October 1933 in the other place, 'as a courteous soul and splendid woman, of calm Christian confidence'.

Apparently Lady Millie's experience in Parliament during her term was not a happy one. It has been recorded that she left Parliament after less than two years declaring that it was not a place for women. I can but wonder how isolated she might have felt being the first and only woman member of Parliament in 1933, and such a long way from her home and friends in Creswick.

On 14 November 1933 the *Age* described Lady Peacock's election as:

... another step in women's fight for complete freedom and equality.

The news article also stated that in the circumstances of her being in mourning, Victorian women had had no opportunity of hearing Lady Peacock speak or of learning of her views. But Lady Peacock was very active in her electorate of Allendale, and earned the title of Deputy Member for her work in support of her husband's campaigns.

The *Age* also reported on Lady Peacock's election as the first woman member in Victoria, and stated that it would necessitate a re-arrangement of some of the rooms at Parliament House. There was discussion as to whether Parliament would provide her with her own room either on the first or second floors, and also on whether Lady Peacock would wear a hat in the house, which was optional at the time.

Again, on 22 November 1933, the *Age* reported on Lady Peacock's swearing in. The public and distinguished strangers' galleries were crowded, mostly with women, an hour before the house met.

Included among those who attended to witness the brief but formal ceremony were representatives of many women's organisations. The new member for Allendale wore a black costume, furs and a hat — the first time in the history of Victoria that a new member has entered Parliament with head covered. There was applause from all sides of the house greeting Lady Peacock as she passed the bar of the house and stood at the table. Having signed the members roll and shaken hands with the Speaker, she sat on the back government benches between Mr Toutcher, one of the oldest, and Mr Holden, one of the youngest members of the house.

A glowing tribute to Lady Peacock appeared in the Hobart *Mercury* of 13 November 1933. An article headed 'Woman in Parliament' states:

Lady Peacock carries on the same tradition. Although she has never sought publicity, she has taken an active interest in the affairs of the Allendale district since she came into it as the young country bride of the then Premier of the state over 30 years ago.

Indeed, so familiar did she make herself with the people of her part of the country and their needs and problems that Sir Alexander was often heard to say that she knew more of the electorate than he did, and she was popularly known as the deputy member. The regard in which the people of Allendale held their new member may be gauged from the fact that she was elected without having addressed a single meeting.

Finally, the *Bulletin* of 15 November 1933 described her election as follows:

Alex Peacock's widow, who had won the seat in a poll of 9000-odd votes, having beaten the Labor man McAdam by 1500-odd. Her sex could not have chosen a worthier pioneer.

On 9 February 1948 the *Argus* reported Lady Millie Peacock's death on 7 February in an article headed 'Lady Peacock, state's first woman MLA dies'. She was described as having earned the affection of many and the title of the Deputy Member for her work in support of her husband's political campaigns.

The article went on to state that Lady Peacock shared largely in Creswick's public life for 50 years. It quoted the tribute of the then Premier, Mr Hollway, that the people of Victoria would remember Lady Peacock with affection as a kind-hearted and public-spirited woman. The article stated that Lady Peacock had been one of

Victoria's distinguished daughters and that the residents of Creswick in particular would mourn her passing.

Before 1933 no women had been elected to the Parliament of Victoria. In 1938 Fanny Brownbill was elected as the first Labor woman member of Parliament for Geelong, where she remained a member for 10 years. Between 1933 and 1979 no more than two women were members of the Legislative Assembly at any one time. Until 1979 no women had been elected to the Legislative Council.

In 1979 two women were elected to the Legislative Council for the first time in history. Victoria's first women Legislative Councillors were Gracia Baylor, Liberal member for Boronia Province, and Joan Coxsedg, Labor member for Melbourne West Province. Both women were simultaneously successful in the 1979 state election.

At the state election on 18 September, the voters of Ballarat Province exercised their democratic right to vote in six Labor candidates, three of whom were women, as their members of Parliament across all four lower house seats and both upper house seats, for the first time. For the first time in the 62-year history of Ballarat Province a woman was elected at the ordinary election — and I take this opportunity of thanking those voters. I am very proud to be one of the 8 women of the 14 government members of this house. Women now represent approximately 24 per cent of members of the Legislative Assembly and approximately 27 per cent of members of the Legislative Council. Women represent approximately 57 per cent of government members in this place. What a tremendous achievement for women in the closing months of the 20th century.

I am very conscious of the great honour that has been bestowed upon me, especially as I am the first woman in the history of Ballarat Province to be elected to the seat. There is a saying that fortune favours the brave. I was prepared to stand for what appeared to be an unwinnable seat. I was successful.

Father John Mathes, parish priest of the Anglican parochial district of Creswick, Clunes and Newlyn, of which I am a parishioner, placed a short quote on the pew seat at St John's church on the Sunday after the state election:

Try not to become a person of success but rather try to become a person of value.

This place must be a true house of review. I refer to the proverbs of Solomon, chapter 11, verse 14, which is inscribed in the vestibule of this great Parliament:

Where no counsel is, the people fall; but in the multitude of counsellors, there is safety.

Wisdom is found by those who look for it. I believe that I have always looked for wisdom and I trust that I will never lose sight of the great honour that has been bestowed upon me by my being elected to represent the constituents of Ballarat Province

I take this opportunity of thanking my parents, who have loved, supported and stood by me. I also thank my sister for her loyalty and love. I thank my life partner, Ian, and our young daughter Elizabeth, for their unconditional love and commitment to me. I thank Sarah-Jane, Anthea and Melissa for sharing their father with me and for accepting me into their family 10 years ago. I also especially thank my mother's eldest brother, Uncle Allan Thomson, for his political debating and constructive criticism during the past 20 years, and for introducing me to the Kingston and Creswick district more than 20 years ago. I also thank Auntie Lorna Robertson, who has been a second grandmother to me.

I also thank the Australian Labor Party for having the good sense to have preselected me as a candidate of merit for the Ballarat Province in April 1998. I sincerely thank the Labor Party members and supporters of all the branches within the Ballarat Province for their hard work and support.

I bring to this place the values of being community based and community minded, of being down to earth, of being grounded, of being able to bridge the gap between the haves and the have-nots, of integrity, honesty and having a strong Anglican faith.

I thank all those women, and especially those in the Labor Party, who have supported me in many and varied ways.

On 22 October, the national award of recognition for consistent excellence in the legal representation of children and young people was awarded to a Ballarat woman sole legal practitioner, Mrs Patmalar Ambikapathy, by Justice Alastair Nicholson, Chief Justice of the Family Court of Australia. Mrs Ambikapathy is well deserving of such a national award and I congratulate her on her tremendous advocacy and commitment to children and young people who fall into our legal system.

I especially thank Emily's List and Joan Kirner for their mentoring and support since my preselection. I sincerely thank Jenny and Eddie Beacham, Margaret and Allan Card, Patmalar Ambikapathy and Dr Ambi, Dr Jocelyne Scutt and Arthur Hallett. I am also grateful for the support given to me by the Labor

women's network. Without the tireless support of these good women and men my 18 months as a candidate would not have been as enduring and enjoyable as it was.

I also sincerely thank and commend Mr Steve Merbach, the registrar of the Ballarat court since 1989, for the way in which he has executed his duties in a highly professional manner while maintaining a high-standard operation at the court.

There are many other people, whom I sincerely thank, who have supported me over the years in my practice as a lawyer and as a volunteer telephone crisis counsellor. I also thank those who have sent me letters of support, flowers and congratulations since the election. I will not name you, but you know who you are, and I thank you.

I am here in this place as the first woman member for Ballarat Province to fight the good fight. I thank honourable members for their attention.

Hon. R. H. BOWDEN (South Eastern) — I wish to respond to the speech on 3 November of His Excellency the Governor of Victoria, Sir James Gobbo, when he presented an outline of the legislative program of the minority Labor government.

I remind the house of the achievements of the previous government, which enabled His Excellency to make the speech he made. When the Kennett coalition government took office in 1992 Victoria had a debt of \$32 billion and a current account deficit of more than \$2000 million. In the relatively brief time between 1992 and September this year the coalition government, the predecessor of the minority Labor government, transformed the economy through a combination of vibrant policy and the excellent management of the financial affairs of this great state.

To illustrate the point I remind the house that the coalition government reduced Victoria's debt from \$32 billion to \$6 billion and turned the \$2000 million current account deficit into a surplus. The positive expectations outlined in His Excellency's speech on 3 November would not be achievable if the Kennett coalition government had not been a good and effective economic manager.

Victoria has experienced regular and substantial economic growth together with and as a result of the good husbanding of the financial affairs of the state. The Labor minority government received an extremely good inheritance when it assumed office unexpectedly in September. That is not to denigrate the aspirations and hopes outlined in His Excellency's speech, because many of the goals are excellent. However, I remind

honourable members that many of those aspirations and hopes would not be attainable if the minority Labor government had not received that great inheritance from the Kennett coalition government.

South Eastern province is extremely large, covering just under 5000 square kilometres. It has a big and diverse population and comprises metropolitan and rural towns and townships. One of the province's outstanding characteristics is its diversity and complexity. His Excellency's speech brought to mind the need for my constituents to be ever watchful of the promises and aspirations of the minority Labor government. Most of my province could be described as rural or regional. Since the opening of the parliamentary session honourable members have heard much about the importance of supporting rural and regional Victoria. As some of my colleagues and I have often said, my province can be likened to a miniature Australia. It has a large concentration of people on the Mornington Peninsula; and it has its agriculture, aquaculture and dairy industries, its recreation, tourism and marine activities, and its heavy industry.

Most of the people of my province live close to Melbourne. Cranbourne is less than an hour's drive from the central business district, and the northern parts of the Mornington Peninsula are a similar distance from the city. Despite its proximity to Melbourne, most of its character is rural and regional.

I want to emphasise the concerns of my constituents, which the government may consider given the issues raised in His Excellency's speech. Health and aged care are at the forefront of their concerns. Whether you are talking about the southern part of the Mornington Peninsula, the other side of Western Port Bay, Phillip Island, Wonthaggi, Inverloch or beyond, the demographics are interesting and worthy of consideration. Rosebud and Rye are attractive to people who wish to retire. The population profiles of those towns and of the southern peninsula mean that health and aged care issues are significant. I am a strong supporter of both the Peninsula hospital and the foreshadowed Peninsula hospice, which is under construction in the Frankston area. The hospice, which is badly needed, will offer a modern and enlightened service that will assist my constituents.

Tourism is also important. Because of its proximity to the city, many Melburnians and Victorians as well as tourists from interstate and overseas visit the many wineries on the Mornington Peninsula. The wine industry is extremely important to tourism.

I am particularly disappointed about the minority Labor government's decision to cancel the construction of the Scoresby freeway. Tens of thousands of my constituents who live on the Mornington Peninsula and in Cranbourne are also disappointed about that announcement because their access to goods and services and their ability to travel efficiently to and from their places of employment have been compromised. I am not satisfied that the upgrading of Stud Road is a satisfactory answer because it will channel more traffic onto the Monash Freeway between Stud Road and further east. That is already inadequate at certain times of the day.

In representing the interests of my constituents I suggest that the government take a hard look at the ramifications of its announcement to cancel the construction of the freeway. It is not in Victoria's interests. Hundreds of thousands of people in electorates in eastern and south-eastern Victoria will be affected by the government's decision.

Hon. W. R. Baxter — It is typical of what they did with the Eastern Freeway in 1982. It is par for the course.

Hon. R. H. BOWDEN — That may well be the case. Labor should be careful of being tagged as an anti-roads government. Good roads improve driver safety and are extremely important in making Victoria competitive in the movement of goods and services. The short-sighted cancellation of the much-needed Scoresby freeway is not a good move. I have received many complaints about it from my constituents.

I also refer to the deregulation of the dairy industry. My province and the Legislative Assembly seat of Gippsland West depend to a large extent on the dairy industry. Wonthaggi and Korumburra, and the beautiful land surrounding them, are well known as highly efficient dairy-producing areas. The deregulation of the dairy industry is causing considerable concern. In the context of His Excellency's speech I suggest that the government take a long, hard look at the issue before it does anything to the detriment of the dairy industry. Many thousands of my constituents are active dairy farmers who make a valuable contribution to the economy of the state. For them dairy deregulation is an extremely important issue.

I have the privilege of representing constituents who live in San Remo and on Phillip Island — and indeed, in the whole Western Port area.

I advise honourable members of my longstanding interest in fishery issues and my support for the

fishermen and their families. The fishermen operate principally out of San Remo, although commercial fishing also takes place in other areas.

The economic contribution made through lobster and shark fishing out of San Remo is extremely important. Longstanding family activities and aquaculture production should be encouraged.

In recent months there has been a great deal of publicity in the South Gippsland area about a project called Basslink, which proposes to link the electricity grids of Victoria and Tasmania. It is a worthy and positive idea, but it is causing concern. One of the engineering proposals is for electricity cables to run from Tasmania under Bass Strait and then be taken on land in a yet-to-be-determined area somewhere east of Inverloch. The cable would then go across country to the Latrobe Valley and the Morwell–Traralgon area.

Members of the community are saying very strongly, 'We do not want to see the installation of high-voltage towers carrying cables across the beautiful hills and the marvellous countryside in Gippsland'. I have attended public meetings, and I inform honourable members of my commitment to opposing the construction of towers. I do not believe they are necessary, and they would be a blight on the landscape. My constituents do not want towers, and I do not support their construction. There are other ways to connect the Victorian grid to Tasmania, one of which is underground cables. I leave the specifics of the alternatives to the technical experts, but through my contribution today I would like to put on the record my strong opposition to the construction of towers over such a beautiful part of Victoria. It would be vandalism of the worst kind.

I turn to the concept of volunteerism. Thousands of volunteers in many hundreds of organisations are necessary for the efficient running of the community. Sometimes it is difficult to single out organisations, but the concept of volunteerism is well ingrained in the community and is a concept that Australians should be proud of. I pay tribute, without naming individuals, to the many hundreds of constituents in my electorate who serve the community and the state in valuable ways through their association with lifesaving clubs, the State Emergency Service, the Country Fire Authority and other organisations. The volunteers unselfishly give their time, and on occasions their lives, in the service of their fellow citizens. That service should be recognised. I am extremely proud of the volunteer organisations in my electorate.

I also recognise the work of the people at the Southern Peninsula Rescue Squad. They provide rescue boats

and a helicopter service free of cost to those in danger, and they deserve to be recognised for the wonderful work they do. For the past four years I have been — and I still am — the state patron of the Australian Volunteer Coastguard, a privilege accorded to me by an organisation I am delighted to support. The work of the Australian Volunteer Coastguard throughout Victoria, including certain inland areas, is well known and goes back to 1962 when it was first formed. Thousands of people owe their lives to the work of the Australian Volunteer Coastguard, and I record on behalf of the house the great pride in and value of that work.

I shall now deal with an issue I would like honourable members to consider. In 1803 what is now known as the Collins settlement was established at Sorrento. It was the first European settlement in Victoria. After 9 or 10 months the settlement was not considered viable and the settlers sailed off and founded Tasmania, establishing Hobart. For many years the committee of the Collins Settlement Committee has been doing fine work in maintaining and encouraging visits to the original Collins settlement site at Sorrento. The association does an excellent job, and I encourage all honourable members to visit the settlement. It is a wonderful place to visit to gain an understanding of some of our history, and it is in a beautiful part of the state.

Due to unusual circumstances in recent years the Collins settlement site has become available for acquisition. Most of the land in this state is freehold, and following the death of the former owner of the site some years ago it is now available. I suggest to government members that here is a chance for Victoria to buy what could be its version of Plymouth Rock. Americans have always been proud of their Plymouth Rock, and here is Victoria's opportunity to have its own version. I would be pleased to provide honourable members with more information and detailed photographs if they are interested. As part of my encouragement of the Collins Settlement Committee I suggest to honourable members that this is a once-in-a-lifetime chance to acquire the birthplace of Victoria.

Like all honourable members, I am concerned about the drug menace that is facing our young. Over the past five years there has been an increase in drug use by young people. I am particularly concerned that over the past two or three years some of the small towns such as Wonthaggi, Inverloch, Cowes or Koo Wee Rup that never previously had visible drug problems are now exhibiting them. I neither have nor am offering an answer, but I support positive moves to address the serious problem.

Three broad principles must be recognised. Firstly, those who are involved with illicit drugs have a health problem. They should be treated as such and provided with medical and health services. Secondly, education is important from junior years through to secondary years. Thirdly, law enforcement is vital. Because of its distance from the city and its general rural and semirural environment my electorate was once one of the safe electorates for young people. However, the drug problem is becoming more visible and that is of concern to me.

I record my appreciation and thanks to former honourable members of this chamber who are no longer serving Victoria. I shall not give a dissertation on each but they worked extremely well in this chamber. I arrived in this place in 1992 and I record my appreciation and thanks for their professionalism. I am pleased that I had the opportunity to work with so many fine people who through time and the electoral process are not with us. The honourable members I would like to mention today are Rob Knowles, Dick de Fegely, Ron Wells, Caroline Hogg, Pat Power, Don Nardella, who is now in another place, Barry Pullen, Jean McLean, Doug Walpole, Tayfun Eren, Louise Asher, who is also in another place, Bill Hartigan, Sue Wilding and Rosemary Varty. Each served this house with great credit, distinction and professionalism. Sometimes the chamber was quiet and at other times it was noisy, but the business of the house was carried out according to the sincere beliefs of all the honourable members I have just mentioned. I appreciated their company and the opportunity to work with them. They made a magnificent contribution to the house. I am pleased to have the privilege of representing the constituents of South Eastern Province.

Hon. JENNY MIKAKOS (Jika Jika) — I am grateful for the opportunity to make a contribution to the address-in-reply to the Governor's speech, which set out the government's progressive program for Victoria for the next four years. It is a government of which I am proud to be a member.

Before addressing some of the points in the Governor's speech, I wish to begin my duties as the representative of the electors of Jika Jika by thanking them for their support. I am honoured to have been elected to represent them and will endeavour to ensure that their concerns and needs together with the needs of the Victorian community generally are addressed by the government.

I also wish to thank all the Australian Labor Party members and very many branches in Jika Jika that assisted in my election. I thank my campaign manager,

Tim Laurence, and my fellow candidates and colleagues, Mary Delahunty, Michael Leighton, Alex Andrianopoulos and Sherryl Garbutt for their assistance. I look forward to working with the Honourable Theo Theophanous to represent the electors of Jika Jika.

I also acknowledge the friendship and support of Ian Jones, Frans Timmerman, Don Nardella, the honourable member for Melton in the other place, George Gogas, Karen Sherlock, Peter Mitchell and my many other friends in the labour movement, who are too numerous to mention, for their support and confidence in me.

My deepest thanks I reserve for my parents and my younger sister, Niki, for their encouragement, support and assistance over the years. After migrating to Australia from Greece in the late 1960s my parents set to work in Melbourne's factories and building sites making a better life for themselves and especially for their two daughters. Although they instilled in both their daughters the importance of getting an education they had no set expectations other than that we should persist in whatever we did. My parents instilled in me the value of community service through their involvement in local school councils in my electorate. They instilled in me a value for the principles of equality and social justice, of our system of democracy and of hard work.

I congratulate the Premier on his outstanding leadership of the Australian Labor Party during the past year. I also congratulate the Leader of the Government and the Deputy Leader of the Government in this house and all the ministers on their appointments. I wish them well in fulfilling their important duties on behalf of all Victorians.

I also congratulate all the new members on both sides of the chamber who have just had the privilege, like me, of being elected to represent the people of Victoria. It is a great responsibility, and I am sure that all honourable members will rise to the challenge.

I also place on record my immense personal satisfaction that over half the members on this side of the house are women, and that 75 per cent of the government's ministers in this house are women. All candidates of the Australian Labor Party are selected on merit and the party's preselection rules ensure that women candidates of merit are able to be elected in greater numbers now than ever before. I wish to acknowledge the role played by organisations, such as Emily's List in its support of Labor women candidates. I thank them for their support of my own candidacy.

Of late much has been said in the media about women of my generation taking for granted the rights won by women over the past 30 years. However, I assure all honourable members that I take the view that much remains to be done to ensure the equality of men and women in all domains of life, including political office, so that a time may soon come when the number of women sitting on either side of the chamber need not be remarked on.

For example, the *Age* of 19 November reported that the Australian Bureau of Statistics has found that the average man still earns about \$159 a week more than the typical working woman. Unequal earnings, continued discrimination in the workplace, the so-called glass ceiling in the top echelons of the private and education sectors, the continued criminality of abortion and the critical shortage of affordable child care are but some of the issues that require attention.

Before making some comments about my electorate, I wish to acknowledge the work performed by my predecessor, Pat Power, on behalf of the ALP, the people of Jika Jika and the interests of rural and regional Victoria. I wish Pat well in his future endeavours.

Having been a life-long resident of my electorate, I feel especially pleased and humbled to be able to put something back into the community that has provided so much to me over the years. The province of Jika Jika comprises the inner northern and north-eastern suburbs of Alphington, Bundoora, Fairfield, Kingsbury, McLeod, Mill Park, Northcote, most of Preston and Reservoir, Thornbury, Watsonia, Yallambie and parts of Epping, Lalor, Greensborough, Rosanna, South Morang and Thomastown. Those suburbs are characterised by a high-density mix of 20th-century period and modern homes and significant parklands and waterways, being bounded on the north-eastern, eastern, western and southern boundaries by the Plenty River, Darebin Creek, Merri Creek and the Yarra River respectively.

Detracting from the natural beauty of the local environment is chronic housing overdevelopment in some parts of my electorate. Having been a municipal councillor with the former City of Northcote, I have seen first hand how difficult it has become for local councils, let alone local residents, to have meaningful input into the planning process.

I therefore welcome the Governor's remarks regarding the government's intention to make Victoria's planning laws simpler and more transparent, as well as its intention to abolish compulsory competitive tendering

for local government. Having spoken to many residents and municipal councillors on this issue, there is no doubt in my mind that compulsory competitive tendering has been an abysmal failure and has been about the previous government's ideological obsession with competition policy rather than more efficient service outcomes. Having had the privilege of serving my local community in local government, I also welcome the government's intention to afford local government proper constitutional recognition and to work cooperatively with elected local government representatives.

Jika Jika's community is rich in its cultural diversity. The 1996 census showed that 30.8 per cent of persons in my electorate were born outside Australia and 26.4 per cent were born in non-English-speaking countries. Of those, the countries of origin for the largest numbers are Italy and Greece, with many newer arrivals coming from China and Vietnam.

With 37.1 per cent of persons speaking a language other than English at home it is obvious that specialised interpreters are vital to many residents in Jika Jika, especially those residents accessing the health system. I recall with some dismay a story recently recounted to me by a doctor in a large public hospital about an elderly woman, whose proficiency in English was limited, having had a local taxidriver who happened to be visiting another sick relative act as the intermediary with medical staff, thereby depriving this woman of any privacy or assurance that she was giving proper informed consent to medical procedures. Staff in the public hospital system are to be commended for their dedication in difficult circumstances. I certainly do not regard the previous story as any indictment of their efforts to provide professional care but rather as an indictment of the previous government's starving of Victoria's public system in the pursuit of Mr Kennett's objective of pushing more Victorians out of Medicare and into private health insurance. It is situations such as these that the government-supported specialised interpretive services — including that for the health system — will seek to rectify.

Jika Jika also has a significant Aboriginal community. The name Jika Jika is derived from an Aboriginal elder of the Wurundjeri people who was a signatory to the so-called treaty with John Batman. Hypocritically, at the same time as John Batman acknowledged the Wurundjeri people as the owners of the land in a Western cultural sense, he sought to dispossess them of that land. In my view, the time has come for Australians to make amends for the grave historical injustice suffered by Australia's indigenous people.

Like many of my constituents I was born into a working-class family. Unlike many of my constituents, however, it has been my good fortune to receive the opportunity and family support to pursue tertiary studies and further my employment options. Support for our education and vocational training sectors is fundamental to provide everyone with the opportunity to pursue secure and fulfilling employment.

I am very pleased that the government has made education its highest priority. As indicated in the Governor's speech the government's intention of reducing class sizes for prep, year 1 and year 2 will go a long way towards giving many young children, especially those from electorates such as Jika Jika who come from disadvantaged socioeconomic backgrounds, the extra teaching time and attention required in the formative years of their education. In an electorate where 49.6 per cent of persons have either no income or earn a weekly gross income of less than \$300 and another 28.4 per cent of persons earn less than \$500, there is no doubt that Jika Jika is an economically disadvantaged area. Children whose parents earn low incomes often do not have access to the same resources such as computers at home, access to tutors or assistance from well-educated parents. The Bracks Labor government will ensure that all children receive access to a quality education system.

With one of the highest proportions of persons aged between 25 and 64 years, Jika Jika Province needs geriatric and other health services for what is an ageing community. The previous government's closure of the Preston and Northcote Community and Fairfield hospitals had an adverse impact on the availability and accessibility of health services for Jika Jika residents. That is supported by a recent study into the health needs of part of the electorate I represent conducted by the Australian Institute for Primary Care Centre for Social Health in its final report entitled *Health and Medical Services Review for the City of Darebin, August 1999*. I welcome the government's commitment to establish in 2000–2001 an integrated public health centre in the Darebin area to meet the health needs of Jika Jika residents.

On behalf of my constituents I thank the government for its reiteration, through the Governor's speech, that it will not proceed with the privatisation of the Austin hospital. That will ensure that residents in my electorate are able to access health services without being concerned about their ability to pay.

As outlined in the Governor's speech, the government will end the privatisation of health care. It is the notion of user pays, of customers rather than citizens and a

misplaced faith in an unregulated marketplace that distinguishes the ideology of the Australian Labor Party from that of the opposition. I am proud to belong to a party that espouses as its core values social justice, compassion, equality of opportunity and sound financial management.

A government that is a sound economic manager should not squander public money on monuments nor consider the budget bottom line as an end in itself. A sound economic manager should consider the implications of its policies on all the people it has been elected to govern. The reason we are willing participants in a democratic state is because we understand that the vagaries of the market alone cannot sustain a harmonious and equitable society. The dismantling of Victoria's public sector over the previous seven years has not seen an unsubsidised private sector address critical social problems such as unemployment, underemployment, poverty, homelessness, the illicit drug epidemic or escalating crime. In my view, the state has a legitimate role to play both as a regulator of the market and, where appropriate, as a service provider in its own right.

Further, I am convinced that the sell-off by the previous government of key public assets in the electricity, gas and transport areas will have adverse repercussions for the citizens of this state for many years to come. I look forward to the foreshadowed inquiry into the previous government's privatisation program and the proper scrutiny of all contracts entered into with private contractors by the previous government.

I say that, having worked for a large part of my previous legal career with small and large businesses employing many thousands of Victorians. I have had the good fortune to work with some very professional and talented members of the legal profession over the years and to have assisted a large cross-section of society as clients. More recently, I found great satisfaction in assisting new and existing businesses to expand their operations, some in new industries such as e-commerce and information technology. I have a great deal of respect and admiration for many small business people who are creative and committed to their industries and who treat their employees with dignity and fairness. The Australian Labor Party supports business in the pursuit of more jobs and greater security for all Victorians.

In many respects the marketplace is at its most brutal when it comes to the power — or lack thereof — between individuals selling their own labour and an exploitative employer. Parity can be possible only with a system of award protection, an unfettered trade union

movement and an independent arbiter. Workers deserve proper safety in their workplaces and a workers compensation system that does not penalise them for being victims of industrial accidents. I am proud to belong to a party committed to protecting workers and their families.

When I commenced my legal career I worked for a law firm in the western suburbs of Melbourne practising largely in criminal law. A great number of its clients were funded by legal aid. I have been greatly concerned about the decline in the availability of legal aid over the term of the previous government and welcome the current government's intention to improve legal aid funding and access to the legal justice system. I also welcome the government's intention to enshrine an independent Office of the Director of Public Prosecutions in the Victorian constitution.

Unemployment is a significant problem in Jika Jika. In September 1999 unemployment for the north-eastern Melbourne region — of which Jika Jika makes up half — was 8.6 per cent compared with the Victorian average of 7.5 per cent. So far as local industry is concerned the dominant employers within Jika Jika continue to be manufacturing, employing 19 per cent of the work force, retail trade employing 13 per cent and health and community services, employing 10 per cent. The loss of many manufacturing plants, especially in the clothing, textile and footwear industries, to cheaper work forces overseas during the past two decades has created a largely hidden class of unemployed workers, many of whom are unskilled, have limited English proficiency and are in their 40s and 50s with limited retraining opportunities.

I lament the closure more than a month ago of Diamond Cut International Pty Ltd in Fairfield and, as reported in the Northcote *Leader* of 6 October, the loss of a further 145 jobs. The retraining and redeployment of those people into the work force is a huge challenge for any government but one that must be seriously addressed.

The social dislocation caused by unemployment and its consequences for the mental and physical health and wellbeing of the individuals affected and their families is the greatest problem to beset our society. The Australian Labor Party does not regard unemployment as a necessary evil or the unemployed as those who have fallen on the scrap heap of a market economy. For those reasons I am especially pleased that the Attorney-General has taken on the additional responsibility for manufacturing industry and look forward to his initiatives to rebuild employment in Jika Jika and Victoria generally.

I mentioned at the outset that the Governor's speech referred to the government's program which was spelt out in great detail prior to 18 September and which it has a mandate to implement. The Legislative Council is presently hampered, both practically and by public perception, in its role as a house of review because of its inherently undemocratic method of election. This chamber has always been rather undemocratic, going back to its role as the bastion of the landed gentry in the 19th century, but just as this chamber was reformed then, so it must continue to evolve if it is to remain relevant as a democratic institution.

It is fundamentally undemocratic for a party to receive more than 50 per cent of the two-party preferred vote but hold only 32 per cent of the seats in this chamber. I understand that across Australia, only Victoria uses the same method of election for both its chambers. The government has made the very reasonable proposal that proportional representation be introduced for voting for this house and that representation be based on the basis of five multi-member regions of seven members each to be elected for four-year terms, thereby ensuring that the composition of this place reflects the will of the people. The opposition would do well to remember that the present party numbers in this house do not reflect the will of the people as evidenced on 18 September. The question of reform for this chamber should be put to the people to decide.

I have the utmost confidence in the good sense of Victorians to make decisions affecting their futures. Although I was personally disappointed with the recent referendum vote on the question of Australia becoming a republic, I was heartened that a clear majority of the people in my electorate agreed that Australia needs to face its future under an Australian head of state. I look forward to the day — I hope one day soon — when I can take an oath of allegiance not to her Majesty, her heirs and successors, but to the people of Victoria and the laws under which we live. In the meantime, I will continue to support the republican cause and hope the spirit of bipartisanship that existed among members of the Victorian Parliament prior to the referendum will continue into the future.

Honourable Members — Hear, hear!

Hon. J. W. G. ROSS (Higinbotham) — It gives me pleasure to participate in the address-in-reply to the Governor's speech. I congratulate you and wish you well, Mr Deputy President, on your recent election to that position. I also express my appreciation of the work done throughout his tenure by the Governor, Sir James Gobbo, in his exalted position. It is a comfort to me that according to the institutions of democracy in Victoria

Sir James is now advised by an alternative government and that transition occurred in the best democratic traditions of our community.

I welcome the new members to Parliament and congratulate them on the contributions they have made in their maiden speeches. A rich tradition exists in this place that members on both sides sit in silence to receive the contributions of new members. I suggest that on some occasions individual members have sailed fairly close to the wind in that regard.

I also express regret and acknowledge, as many earlier speakers have done, the departure from the 53rd Parliament of colleagues on both sides. Their contributions have been acknowledged by the Honourables Ron Bowden, Andrew Brideson and others, and I do not wish to be too particular in my recognition of their work. I doubt my capacity to give an accurate evaluation of their contributions during the many years in which they have collectively served.

Nevertheless, I put their names on the record. I acknowledge the move of Louise Asher to the Legislative Assembly and her election to the auspicious position of Deputy Leader of the Parliamentary Liberal Party. I congratulate her on that appointment. Other members are Dick de Fegely, Bill Hartigan, Rob Knowles, Rosemary Varty, Ron Wells, Sue Wilding, Tayfun Eren, Caroline Hogg, Jean McLean, Don Nardella, Pat Power, Barry Pullen and Doug Walpole.

The adversarial nature of proceedings in Parliaments world wide and in Victoria and their legal and political institutions, induce such competitiveness that members do not always see the best in one another. Nevertheless, I celebrate them all and their contributions.

I have never doubted the motives of honourable members on either side. I have seen politicians working in the field and know both the enormous sacrifice they make in their personal and family lives and the unending round of interaction they undertake to advance the value of services within their communities.

It is an onerous task, and anyone who enters public life almost invariably does so with the best of motives. Nevertheless differences in philosophy do exist between the various parties in this house, and some Independents in the other place.

Members of the Liberal Party place a great deal of emphasis on individuality and the ability to face life's challenges in business and other areas. Although the objectives of members of both sides of the house may

be exactly the same perhaps there are variations in our appreciation of how best to achieve those objectives.

I have seen my two sons take up the challenge of moving into small business, assembling capital and employing staff. Through their commitment over the years I have seen first hand that there is no substitute for an emphasis on individual initiative, energy, commitment to the task and personal accountability. That is the cornerstone of the philosophy that comes from this side of the house.

I will pick up on one or two of the issues which have become a mantra and which unfairly stereotype the respective positions of the parties. Despite the clear failure of many of the large command economies in Eastern Europe, I have heard as a recurrent theme in this house — both prior to the present government taking office and since — that there is something wrong with the principle of privatisation. Labor believes there are certain essential services that can be delivered only through large state-owned monopolies with highly structured and heavily unionised work forces. In fairness to Labor, I suppose its members would suggest that that structure has an ability to deliver dividends to the state.

The instrumentalities one would obviously think of are those responsible for the collection and reticulation of water, generation of electricity, transport and the supply of gas. However, they should be viewed in the historical context that when assembling those large enterprises Australia and Victoria were relatively young jurisdictions compared to the rest of the world and were not in possession of the resources and private capital required to develop such large enterprises. Only the government was able to assemble sufficient resources to build a power company and develop the infrastructure associated with it — and likewise with water and transport.

There is no inherent reason why only governments can deliver on such a grand scale. In earlier times only the federal or state governments, and possibly local governments, were able to assemble the necessary capital for such projects, but in recent times the Australian and Victorian economies have matured and capital can now be acquired from sources other than the government.

Rather than suggesting that through the privatisation process the government in some way abdicates its responsibility, it is much more a recognition that following its relatively recent history, Australia is moving into a new epoch in which the private sector can pick up those facilities and deliver useful outcomes.

No-one needs to do more than to visit other countries such as the United States and Japan — in particular, Tokyo, with its private-sector rail infrastructure and high level of efficiency delivered to the Japanese community — to appreciate that it is not only governments that are able to deliver on such large projects.

The former Hawke and Keating governments recognised fairly early in their terms of office that such changes in the maturation process of the economy were necessary. They led the charge in commissioning the Hilmer report to develop the national competition policy. Through a process of communication with the Council of Australian Governments agreement was reached and incentives delivered to jurisdictions around the country to move towards a more competitive environment.

The Kennett government was elected into that mood in 1992. Its inheritance of a \$32 billion debt probably injected an element of urgency and short-term justification into what might otherwise have been seen as a simple process of maturation of the Victorian economy.

It was easily argued that it was best to exchange equity for debt and that it was inevitable.

A sell-off of the state's silverware to redeem the debt incurred by the previous government is not being suggested: rather a natural maturation of the economy, producing a more diverse national and international base from which to draw capital and deliver key activities, can be recognised.

The Kennett government has nothing to apologise for over its time on the Treasury benches. In 1992 when the Kennett government came to office GDP growth was negative 1.5 per cent. In 1999 GDP growth had been turned around and was positive 5.3 per cent. In 1992 unemployment was 11.8 per cent, but in 1999 it was 7.4 per cent. When the Liberal Party took office in 1992 net state debt was \$32.3 billion, whereas in 1999 it stands at \$6.1 billion. In 1992 the budget deficit was \$2061 million; it is now \$1.7 billion in surplus. In 1992 Victoria's credit rating was AA with a negative outlook; the state now has the highest credit rating — AAA — with a stable outlook. In 1992, 1.952 million Victorians were in work compared with 2.79 million Victorians in 1999. In 1992 business investment growth was negative 10.7 per cent but it is positive 4.3 per cent in 1999. The crowning statistic is that in 1992, 20 000 Victorians migrated interstate. This year Victoria is gaining people from other states.

The magnificent achievements of the Kennett government in terms of key economic indicators and the inheritance by the Labor Party of an administration in fine fettle poised for future development should be put on the record.

I wish to refer briefly to workplace reform. When the coalition came to government a cumbersome two-tiered structure of federal and state industrial relations commissions was in place which, at best, could be described as archaic. It provided the ability for trade unions to move between awards and was counterproductive to attracting new enterprises to the state.

Whenever enterprises look at potential locations for new industries in this state, the first thing they wish to be apprised of is the industrial relations climate and whether the necessary mechanisms are in place for them to meet their obligations to their work forces. The first question always asked is, 'Where do we go to obtain the necessary information to be able to satisfy the demands of the local community?'. It is grossly inefficient for that mechanism to be split between state and federal awards. Who could forget the flight of public sector unions to commonwealth awards when the Kennett government was elected to office in 1992?

The Labor Party has often said that the Kennett government destroyed the Westminster system of public service. It is important to put the truth of the matter on the record.

When the Cain Labor government came to office in 1982 I was employed in the Victorian health department. I had been attracted to that profession because of a genuine desire for impartiality in delivering in the Westminster tradition the best service I could to the government of the day. Under a system that had evolved over many years the former Public Service Board was both the employer of public servants and the arbitrator of public service salary and conditions. The Public Service Board was seen as an employer independent of the government.

One of the first statements I recall John Cain making when coming to office in 1982 was that public servants were the employees of the government and that he would act accordingly. He then quickly established the senior executive service. At the time I made a prediction, which I believe was right, that that action was the thin end of the wedge in the destruction of the Westminster system and the public service as we had known it. The Victorian public service has increasingly become like the American public service, in which the

executive comes and goes with the government of the day.

In the United States of America senior public servants traditionally tender their resignations after an election if the government changes hands, and the government of the day may or may not accept those resignations. Under that ritual it is recognised that the administration of the public service will ebb and flow with the government of the day. That procedure is entirely different to the Westminster tradition that Victoria enjoyed. Under the Cain government the senior executive service rapidly became the political layer on top of the traditional public service.

To its credit the Kennett government acknowledged that fact and did not attempt to cover up its approach to the public service. The new tradition was never as obvious as it was following the recent election of the Bracks government. I refer to an article in the *Age* of 11 November headed 'Private contracts to get the sack', which states:

In a direct challenge to the federal government's workplace reforms, the Victorian government will end individual contracts and return to collective bargaining in the public service.

An article in the *Herald Sun* of 10 November under the heading 'Executive sack pay hits \$5m' states:

Golden handshake deals for public service chiefs facing dismissal will cost taxpayers up to \$5 million.

But Mr Bracks' office last night defended the offer as reasonable.

'This is a one-off cost which will be more than compensated for in terms of long-term savings in the budget'.

I dispute that absolutely. The truth is that there is no need to make massive savings in the public sector. Victoria is seeing the turnover of the senior executive service, which will be replaced by the injection into the public service of people of a suitable political persuasion.

The government says it intends to make savings. Information from the Office of Public Employment in the Department of Premier and Cabinet shows that on 16 October 1992 — that is, shortly after the Kennett government came to power — there were 289 263 public sector employees. By 30 June 1998 that had been reduced to 216 814, and by 30 June this year the total had come down to 194 136. During the Kennett government era the number of public sector employees declined by 95 127. The suggestion that there was a need for the Bracks government to start slashing the

public sector to make savings is a gross misrepresentation of the situation.

The philosophy of members on this side of the house means that we prefer individuals to be in productive employment outside government rather than absorbing the wealth of others by being employed within government.

During that same period overall employment in Victoria increased. Australian Bureau of Statistics records show that in August 1992 in Victoria 1 952 200 individuals were employed and that by August 1999 that figure had risen to 2 179 000. In other words, employment increased by 226 800 during those seven years.

It is clear that individuals who had been displaced from the public service were picked up by the private sector. Make no mistake, Mr Deputy President, the Westminster tradition has long gone from the public service, as I predicted, and the Australian Labor Party has been the main architect of its passing.

I will briefly refer to the malignant distrust of the upper house felt by members on the other side. Upper houses in Australia have been the subject of Labor prejudice over generations. I understand that, with its egalitarian traditions, the ALP probably sees some allegorical comparability between this house and the House of Lords. It is true to say that Westminster was the cradle of democracy and government as we know it in Australia and Victoria. However, a long time has passed. There is no comparability with that situation these days. Nevertheless, it should be recognised that 150 years ago that prototype laid the foundations for our bicameral system of government.

Accordingly, I find it distasteful that the government advised the Governor to predict how the house may deal with matters, which are yet to come before it, relating to its so-called reform. It is particularly galling that, even before the arguments have been touched on, the Governor has anticipated the need for a plebiscite. The government is telegraphing its own prejudice on the issue.

The 54th Parliament should maintain an open mind on issues yet to be debated, including the role and function of the upper house. I understand that honourable members opposite are haunted by issues such as the 1947 denial of supply to the government led by John Cain, Sr, and the dismissal of the Whitlam federal government in 1975. I also understand that the annals of Labor folklore have provided an invisible momentum for the abuse implied in the suggestion that,

irrespective of the issues that are debated in this place, the matter will be taken to a plebiscite of the Victorian community.

Surely the ALP can see that the current and recent state of the house have been among the intended consequences of the architects of the Victorian constitution? I do not want to dwell on the abysmal track record of the Guilty Party or the situation inherited by the Kennett government in 1992. Nevertheless, even the doyens of the Australian Labor Party have acknowledged that the drubbing handed out by the community in 1992 was deserved and that the Kennett government was washed into office by a tidal wave of acknowledgment that things had to be done differently.

The constitutional legacy in this house is that the community voted purposefully to put a restraint on future governments. The truth is that in 1992, 1996 and more recently the Victorian community voted to ensure that, regardless of which party formed government in the lower house, it would be a long time before the Labor Party was given unbridled access to the Treasury.

Victorian governments have rarely had a majority in both houses. The Bolte Liberal government had a majority in the upper house for one day in 18 years! Sir Henry Bolte acknowledged that that situation probably resulted in a far more robust government than would otherwise have been the case. During its 10 years in office the Cain government had an upper house majority for one week only.

Practically all modern constitutions have systems of checks and balances that ensure a measure of protection against casual interference. The great architects of

Victoria's constitution envisaged the exact situation which all of us have lived through over the past 17 years and in which we find ourselves today.

The message delivered by the Governor is that the Labor Party would like to render this house dysfunctional. I believe there is great merit in the continuity provided over successive terms by the Legislative Council. That continuity, together with the broader geographic perspective provided by the aggregation of lower house seats, ensures that the upper house is significantly different from the lower house in its analysis of issues, thereby guaranteeing its policy review role.

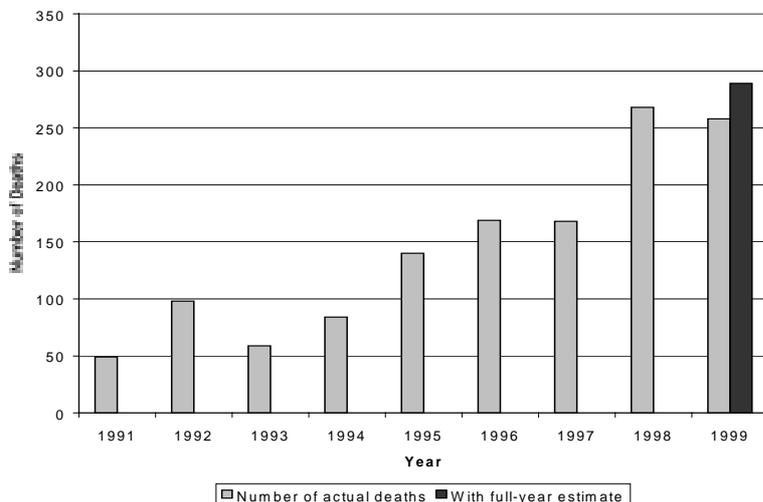
The minority Labor government's proposal for a Legislative Council comprising five 7-member provinces that return 35 members is unworkable. It would be so weighted towards the metropolitan area as to deprive country Victoria of any local representation.

Under the present system honourable members occupy offices in electorates throughout the length and breadth of Victoria. A move towards proportional representation would severely disturb that situation. Many studies on the preferential voting system suggest that it encourages a greater accommodation between competing groups, provides a more representative legislature and, compared with the model on offer by the government, ensures more local representation, especially in the country, than could otherwise be achieved.

I will touch briefly on the issue of drugs in the community. I seek the leave of the house to table some graphs to support the arguments I will put.

Leave granted; graphs as follows:

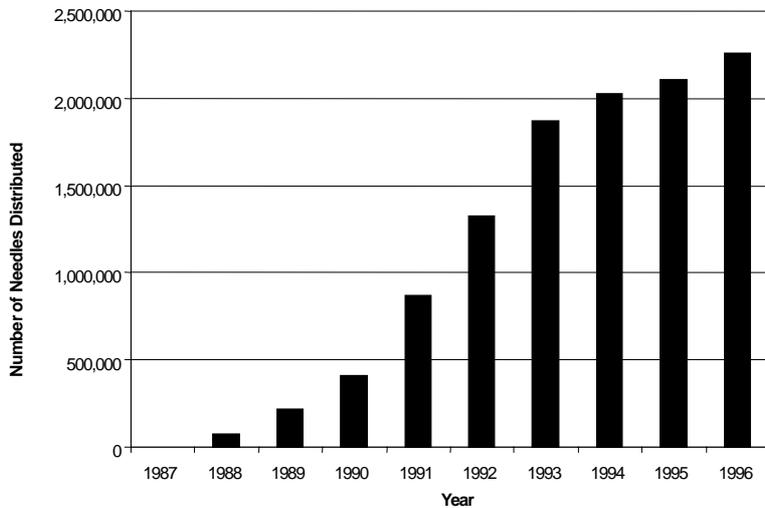
Number of Heroin-Related Deaths in Victoria



Year	Number of Deaths
1991	49
1992	98
1993	59
1994	84
1995	140
1996	169
1997	168
1998	268
1999	258*(289**)

Source: Victorian Institute of Forensic Medicine
 *Herald Sun year to 22 November, 1999
 ** Projection to 31 December, 1999

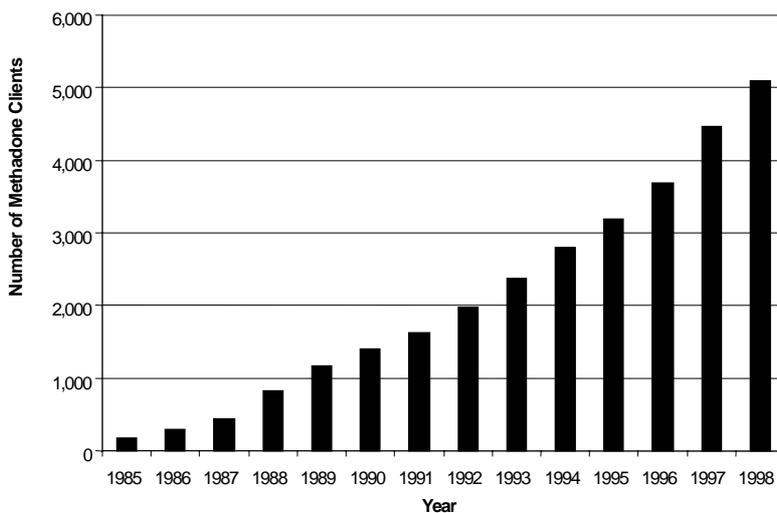
Total Distribution of Needles for Illicit Drug Use by the Victorian Needle and Syringe Program 1987–1996



Year	Number of Needles Distributed
1987	582
1988	73,391
1989	216,424
1990	411,579
1991	869,819
1992	1,325,559
1993	1,871,629
1994	2,030,076
1995	2,109,500
1996	2,259,562

Source: Department of Human Services, Victoria

Clients in the Victorian Methadone Program 1985–1998



Year	Number of Methadone Clients
1985	181
1986	290
1987	445
1988	821
1989	1,164
1990	1,407
1991	1,630
1992	1,980
1993	2,376
1994	2,793
1995	3,193
1996	3,694
1997	4,464
1998	5,095

Source: Department of Human Services, Victoria

Hon. J. W. G. ROSS— The graphs contain a timely warning about the magnitude of the drug problem in Victoria. The harm minimisation philosophy was first articulated in the early 1980s and subsequently enshrined in the national campaign against drug abuse. It is spelled out in the National Drug Strategic Plan 1993–97, which was issued by the National Drug Strategy Committee for the Ministerial Council on Drug Strategy.

The harm minimisation approach was based on the philosophy that, given the difficulties inherent in condoning illicit drug use, it was better to adopt a process whereby the harm was minimised and the behaviour was, to some extent, tentatively

acknowledged. My belief is that that was the badging of a long-term tradition of medical and other responses to the drug problem.

In the early 1970s I well recall people such as Dr John Poolman and Mr Rod Patterson of the Buoyancy Foundation saying that when intravenous drug users came to them with health problems such as dental abscesses and sores on their arms the first thing they did was to assist them with their acute medical problems and instruct them in how to use drugs more safely.

The harm minimisation philosophy had been used by the medical and other caring professions for many years. However, concurrent with the advent of the harm

minimisation philosophy — I am not so sure that if given the choice again we would do anything differently — came the recognition that, because of the looming spread of HIV/AIDS, many of the health problems that were endemic to the intravenous drug-using community could not be controlled and had the capacity to break out into the general community.

One of the early initiatives was to supply needles to illicit drug users. I refer to the graph headed 'Total distribution of needles for illicit drug use by the Victorian needle and syringe program 1987–1996'. It depicts a massive escalation in distribution, from 582 syringes and needles in 1987 to 2 259 562 in 1996. That increase was a direct result of the harm minimisation policy. However, it was also a direct result of an increasing and escalating drug problem.

I refer honourable members to the number of heroin-related deaths in Victoria. In 1991 there were 49 deaths, and if one extrapolates to the end of this year to obtain a full-year comparison with 1991 one sees that there will be close to 300 deaths from heroin overdoses this year.

I turn to the graph of clients in the Victorian methadone program between 1985 and 1998. The philosophy of the program was to attract intravenous drug users into care and to provide them with a substance that substituted for their addiction that was active by mouth and had a long duration of action. The massive escalation resulted from policy and was therefore not surprising. In 1985 there were 181 methadone clients compared with 5095 in 1998. The time is coming when it will be necessary to ask whether the harm-minimisation philosophy that offered an answer to the escalating problem of drug abuse has achieved its objectives. It may well be that we would do it all again given the spectre of HIV/AIDS and the need to control disease within the community. However, as in other parts of the world, we are starting to recognise that drug abuse is a contagious phenomenon, like many other contagious diseases, and it may be that the more we facilitate and foster drug taking, even with the best intentions in the world, the more the problem escalates.

In visiting Holland I have witnessed a change in attitude in recent years. Holland has always maintained a liberal attitude to the use of drugs, as exemplified by the use of cannabis in coffee shops, more recently self-injecting rooms and a variety of other facilities. The reality is that the drug problem has continued to escalate, and the Dutch are now questioning the wisdom of the approach they have taken.

On my most recent visit to Holland I noted that forces not only from health but from tourism and the general community, in their assessment of local amenity and commerce, were demanding more and more controls on drug trafficking. A long article by Larry Collins, headed 'How Holland Made a Hash of Drugs', in the *Herald Sun* of 15 August says the Dutch are now re-evaluating their position.

While visiting Holland six months ago I was astonished to see that on Friday evenings a mobile police station was wheeled into one of the main central areas of Amsterdam, the Dam. Outside the plaza of the Amsterdam railway station there was another mobile police station. I saw three policemen mounted on horses, approximately four policemen on motor scooters and a contingent of policemen on bicycles. Enforcement is very much coming back in Holland. The philosophy of self-injecting rooms was in recognition of the need to move the drug problem on while at the same time offering a facility that enabled drug users to continue their habit.

Sweden is another jurisdiction that has a history of a liberal attitude towards drugs that has in subsequent decades become less liberal, to the extent that Sweden now has a harsh policy.

I refer to the experience of Dr John Marks in Merseyside, England, who set up facilities for more ready access to intravenous drugs of addiction. The local health authorities had to step in, and they suggested the program was counterproductive.

I place on the record the need to take a step back and look at the whole process. I am not suggesting for one moment that the harm-minimisation policy was not a wise policy when it was adopted, but one can ask how much longer this can go on. An argument that is often put to me is how much worse the drug problem might have been without the harm-minimisation response. With a death nearly every day from intravenous heroin use, how much worse can it get? As a community we must focus on the extent of the drug problem, and I am pleased that the government has taken the issue extremely seriously and has established an expert committee under the chairmanship of Dr Penington.

In looking at the membership of the drug expert committee I make the point that in contradiction to all I have witnessed in Europe and other parts of the world there is not one senior policeman on the committee. I compare that with the massive effort the Kennett government made to deal with this problem during its term in office. More than \$100 million was delivered

over four years to ensure that potentially every child in Victoria receives some form of drug education.

When considering how to address the drug issue one should keep in mind it has much in common with other health issues. Essentially it is a behavioural problem that is amenable to long-term education. Looking at the initiatives put in place by the Kennett government one sees that they are the sorts of programs that will deliver outcomes, although often with a very long time scale. The focus must be on developing a health-wise community that is able to live in an environment where there are many potential threats.

With those words I conclude my response to the Governor's speech, and I thank the house for its attention.

Hon. M. T. LUCKINS (Waverley) — This is the third Governor's speech to which I have responded, the first response being when I was elected in 1996, the second after the Parliament was prorogued last year, and now the Governor's speech on the opening of the 54th Parliament, which I must say was the least visionary of the three speeches to which I have responded.

Before I proceed with my address-in-reply I place on record a tribute to many honourable members who have left since the last election, either voluntarily or involuntarily. Firstly, the Honourable Rob Knowles served the house with distinction from 1976 and was most recently the Minister for Health in the Kennett government. Mr Knowles made an invaluable contribution not only to the chamber but also to his own electorate and the Liberal Party in general. I commend him for his past achievements and wish him well for the future.

Rosemary Varty retired at the last election. I have known Rosemary for many years, and she has contributed greatly, particularly to the advancement of women's issues both inside Parliament and in the wider community. Louise Asher, in moving to the lower house and assuming the deputy leadership of the Liberal Party, has left an indelible mark on the chamber. Louise will continue to make a tremendous contribution not only as deputy opposition leader now but as deputy Liberal leader in the next government.

The house also lost Dick de Fegely to retirement, and Bill Hartigan. Many of the new members who did not have the pleasure of meeting Bill will miss out on his tremendous contribution to the house. He really brightened things up during his time in Parliament.

The Honourable Sue Wilding, with whom I had the pleasure of working closely because our electorates were adjacent, will be sadly missed, as will the Honourable Ron Wells, who retired.

In 1992, when I sought to enter the lower house and was unsuccessful by 19 votes, Dr Wells was my upper house candidate and subsequent member, and we worked closely together.

I place on record a tribute to the Honourables Caroline Hogg and Jean McLean, who both retired at the last election. Caroline is a lady of great dignity who was committed to the people of Victoria. Although we are on opposite sides I have the utmost respect for her and for Jean McLean, who has done so much, particularly with her commitment during the past 10 years to the people of East Timor.

I turn to the address of the Governor at the opening of the first session of the 54th Parliament. Generally the speeches are written by the government of the day to provide an outline for the next term and a vision for the future.

Between 1992 and 1999 the former Kennett government offered a vision in its previous speeches to the house both after an election and through the proroguing of Parliament. The speeches usually set out the aspirations, hopes and planned initiatives of the government. The last two Kennett government speeches dealt with the issues of drugs, depression, women's health, breast cancer, carers and suicide prevention. Those are visionary whole-of-society concerns. When I read the speech presented by the Governor on the plans of the new Bracks minority government I was somewhat concerned that what was being presented was reactionary rather than progressive. It would be a pity for Victorians to go back to the mismanagement of the previous Labor governments or return to the days when progression was not the goal for the good of society.

Social justice is a term that, while not used in the Governor's speech, is one that is claimed by the Australian Labor Party as its own. I now use the term 'social advantage'. The Liberal government has always had more recognition for its prudent economic management than for what it achieved for the whole of society in its social policies. Prudent economic management was necessary in 1992, but for all Liberals economic management is a means to an end, and the end is to provide services for all Victorians who require assistance. I was surprised to read in the Governor's speech that:

The minority Bracks government believes in growing the whole of the state and will take immediate action to restore confidence in Victoria.

That is an abhorrent statement. Why? When the Kennett government came to office in 1992 the deficit on recurrent expenditure was \$2.3 billion, debt was \$32.3 billion and unemployment was 11.8 per cent. When I went to work as an adviser to the Honourable Phil Gude in 1992 the current Premier was in charge of the employment branch and I worked closely with him. He was there when Victoria had 11.8 per cent unemployment.

A number of failed employment programs were disgracefully run and resulted in high unemployment. There was a lack of confidence and opportunity in Victoria and a lack of hope for the future. Victoria's credit rating was AA negative. There was a negative investment growth of 10.7 per cent and in seven years, from 1992 to 1999, the Kennett government turned that around; Victoria had the highest employment level in Victoria's history with 2.2 million Victorians employed. In October 1999 the unemployment rate in Victoria was 6.6 per cent.

The former government has handed over a \$1.7 billion surplus to the new government and debt has been reduced to \$6.1 billion. There is positive investment growth of 4.3 per cent. The gross domestic product growth rate is around 5.3 per cent and Victoria achieved a AAA credit rating, which is important in the overall economic stability of the state. It enables the government to spend more on services and less on the interest payments to banks, predominantly overseas banks, for loans taken out by previous Labor governments. Victoria's credit rating has already been put on watch by Standard and Poor's. For the sake of future Victorians I hope the minority Bracks Labor government manages to look after the state, which has been handed over in superb economic condition, and does not risk its stability and future.

When the Bracks government talks about taking immediate action to restore confidence in Victoria, I am a little stunned because most confidence in an individual, community or a society comes from economic stability and a feeling of security. The best way to provide pride and confidence is to give people the opportunity to maintain their dignity, independence and self-esteem. That occurs through employment, self-sufficiency and looking after oneself and one's family. In turn that delivers a flow-on effect to the wider community and the state as a whole. The Kennett government legacy is that 2.2 million Victorians are now gainfully employed and can look after themselves

and others in the community who are worse off than themselves.

When the Liberal Party was formed in 1944 Sir Robert Menzies said:

What we must look for, and it is a matter of desperate importance to our society, is a true revival of liberal thought which will work for social justice and security.

I cite that reference because I am tired of the Labor Party suggesting that it is the only party that cares about people and to which social justice means anything. Sir Robert also said:

We took the name Liberal because we are determined to be a progressive party willing to make experiments, in no sense reactionary, but believing in the individual, his or her rights and his or her enterprise.

I am sure Sir Robert would have said 'his or her' today. The former government was not in any way conservative or reactionary. Ironically, I am concerned that the new minority Bracks government will be conservative and reactionary. There is nothing in the Governor's speech to change my mind. The Kennett government was progressive, responsive, forthright and reformist. We should not believe all the rhetoric from the new government.

Between 1992 and 1999 community services assisted families across Victoria in both city and rural areas, particularly with the provision of parenting strategies. The Kennett government saw gaps in the services provided for families — a unit the Kennett government regarded as being fundamental to society. If people cannot look after each other, negative social consequences result. The strategies included the establishment of Parentline, a 24-hour telephone service offering counselling and referrals to parents of any-age children. The Victorian Parenting Centre and regional parenting services provided additional support to parents. It was a great initiative in rural Victoria in particular. The positive parenting program, which distributed videotapes as well as fact sheets on how best to deal with routine problems as a parent, was a tremendous asset to anyone with young children. I still refer to them.

The former coalition government established the new Queen Elizabeth Centre at Noble Park, which is close to my electorate, and spent \$3 million on new facilities to provide support to families with new babies. In addition, state and local governments have worked in conjunction to strengthen child and maternal health services. The Labor Party has often been critical of that service but I suggest that perhaps not many of its members are in as much contact as I am with the

service personally and also through friends who are the parents of young children. It is not just on my word that I ask members to believe that the Kennett government improved the service. Some 90 per cent of the new mothers who have visited the new child and maternal health centres have said they are satisfied with the services they receive.

The coalition government introduced mandatory reporting to assist with the care and protection of children. The previous Labor government talked for years about doing so but never had the guts or ability to implement the policy. The Kennett government also boosted the funding for child protection services by 35 per cent during its period in office.

The coalition invested a considerable amount of money and time in family policies such as strengthening family and high-risk infant and adolescent initiatives. Reflecting the view that children are best cared for in a family environment, the Kennett government allocated \$4.2 million per year to increase foster care payments to one of the highest levels in Australia.

Problem gambling is another area where the Labor Party gets on its high horse. I put on record that the Labor Party, not the Kennett government, approved gaming establishments in Victoria. Under the Labor proposal 40 000 poker machines would have been installed across Victoria. Immediately it came to government the coalition capped that at 27 500, and that cap remained in place until the end of its term in government. The Labor Party approved the establishment of gaming in Victoria without investigating its impact on the community. I find it ironic that the Labor Party in opposition was so critical of gaming as to suggest that the Kennett government had somehow let down Victorian families and individuals by not considering its impact. Prior to the election of the coalition government in 1992 the then Labor government funded no gambling strategy to deal with problem gambling. The coalition government incorporated a 24-hour telephone line known as G-Line. It also established Breakeven counselling at 100 sites around the state.

Concessions that benefited Victorians were always enhanced under the previous Kennett government. A total of 650 000 Victorians benefited from state energy, sewerage and water concessions and in addition small households and businesses benefited from \$60 reductions in winter electricity bills in 1998 and 1999. They will benefit again in 2000.

Disability services were also greatly enhanced under the previous government. The Kennett government

created 1200 new community-based accommodation places and trebled the aids and equipment program, increasing assistance for children with disabilities. It also expended \$28 million for the upgrade of fire safety measures across government and non-government disability service sectors.

Youth affairs is another area to which I have a great commitment. The coalition established the Victorian Youth Development program, which 1150 students across Victoria from year 8 to 12 have joined. Springvale Secondary College in my electorate has also benefited from that program, and the changes in the individual students who are participating are profound. I hope that is one program that will continue under the minority government.

When I was advising the former Minister for Industry and Employment the Community Business Employment program had a specific focus on helping those in most need of assistance. Since its inception in 1994 it has been very successful and found jobs for more than 58 000 Victorian job seekers including 19 000 young people. That program has acted as the model for the federal government program. It enables community groups to work in their local areas with local employers and industry to match jobs to the skills of the people seeking employment. Training is provided to ensure that a proper match is made. Unlike the failed Labor government employment programs, the coalition government programs staggered payments over a period of months to ensure that the person did not just turn up for the first day but had to remain in employment for six months before the community organisation received the funding for the position.

The Kennett government allocated \$50 million to tackle youth homelessness. One program with which I was involved was the Foundation for Homeless Youth. The previous Minister for Housing, Ann Henderson, agreed at the instigation of Rotary to provide matched funding for the construction of houses for homeless youth. The foundation was first established by the Oakleigh Rotary Club and involves local technical and further education students building the house, the local Rotary Club raising around \$40 000 and the state housing department providing matched funding and the land on which the house is to be built. The program has been tremendously successful, a fact that I hope will not be lost on the new government.

The previous government was very keen to ensure that older Victorians had the opportunity to live independently and in the homes of their choice for as long as possible. Many older Victorians feel very concerned about leaving their homes and the areas with

which they feel comfortable and familiar. It has been documented that the health of elderly people fails if they are removed from the environments in which they prefer to live.

Since 1992 home and community care funding increased by 43.2 per cent to provide home help, maintenance and home nursing to enable older Victorians to live in confidence in their own homes. A number of preventive programs were developed over the previous term of government and an additional \$7.4 million was spent on research and development of services for older Victorians.

Positive ageing has been another successful program. In 1998, 350 000 Victorians attended Seniors Week activities and more than 650 000 Victorians now enjoy the benefits of being Seniors Card holders.

The hospital in the home program is also an initiative of the former Kennett government. In the past three years \$5 million has been contributed for specialist rehabilitation and nursing services in people's homes. Those services help to avoid hospital readmissions and provide improved and better coordinated support services after discharge to ensure that people are well cared for and that their health does not deteriorate.

The Minister for Women's Affairs has been silent on the government's plan for women, in particular the women's action plan. I was fortunate enough to be a member of the consultative committee that was appointed to develop the plan. Several coalition members travelled around Victoria for many months investigating the services that were available to women in suburban, regional and rural communities. Not only were the available services investigated, but the committee actively consulted with women about the lack of services and the measures that were needed to give them greater opportunities and make their lives more productive. The committee's work received widespread community support. The opposition would like to hear the government's plans.

The government is also silent on women's health issues. The substantial women's health plan was released as part of the former Kennett government's health policy. A working committee was established to investigate the anticipated needs of women in the coming 10 or 20 years and the health challenges that need to be faced to ensure that hospital services in particular are able to cope with the increased demands of both an ageing population and women having babies at an older age.

Palliative care services in Victoria were expanded substantially under the former government, with a funding increase of \$8.3 million, or 23 per cent in 1998–99 alone. The number of inpatient beds increased from 154 to 233. I hope the minority Labor government maintains a commitment to that important area.

Many people advocate euthanasia. I would prefer palliative care services to be enhanced to ensure that people live out their final days with dignity and without pain rather than having politicians put in the terrible position of playing God by legislating on who lives and who dies.

During the term of the former Kennett government public housing was transformed through the acquisition of 12 000 new homes and units and the redevelopment or refurbishment of others. Since 1992 more than 3500 purpose-built units have been acquired for older people, bringing to 21 000 the number of houses and units providing accommodation for older Victorians. I hope the fiscal management of the Bracks government will ensure that housing stocks and schools will not be neglected, as occurred during the Cain–Kirner years, and that funding will be provided to maintain the state's assets in tiptop condition. The opposition hopes it will not have to catch up on a backlog when it next comes to government.

Health service provision was a controversial area during the election campaign. Since 1992 the former Kennett government spent almost \$1.3 billion on the redevelopment of health services across Victoria. A more efficient system was created to enable 300 000 more patients to be treated compared with 1992. The new government will quickly find it has many challenges to meet in the health portfolio. I am dismayed by its plans to dismantle the health care networks. The Southern Health Care Network, which is in my electorate, has moved to create one umbrella with the Monash Link Community Health Service and the Berwickwide Community Health Service. Purchasing and communications have become more efficient because of the linkages between the community health sector and the tertiary sector. It is a matter not only of saving money in the bureaucracy or in the administration of the networks but of how best to manage the state's precious resources to ensure that all Victorians have access to proper care.

I turn to education. In June, prior to the election, the former Kennett government announced the provision of an additional \$7 million for computer subsidies. Victorian schools have a ratio of one computer for every five students, which is the highest in Australia and one of the highest in the world. I hope the Minister

for Education will continue to focus on positive outcomes for the children rather than benefits for the teachers. It is all very well to increase teacher numbers, but unless the educational aspect is right — and access to computers offers great opportunities for all Victorian students — the children will not benefit as they should.

The former government was also committed to early literacy and numeracy and allocated \$102 million a year to those programs. It introduced the learning assessment program (LAP) tests, which were a little controversial and were criticised by the Labor Party but which have provided great information to government, teachers, school communities and parents about the progress of individual children class by class, to compare the performance of teachers, and school by school.

LAP was not designed to result in negative inferences being drawn on the performance of individual teachers or schools. Because many areas are disadvantaged it is not possible to make comparisons unless apples are compared with apples. However, regardless of where people live and where their children go to school the standard of education across Victoria must be comparable, and that can be guaranteed through testing, as has been done through the LAP tests. I hope the program will be maintained in the future.

The majority of schools in my electorate underwent complete capital upgrades when the coalition was in government. In 1992 the Kennett government inherited a \$670 million backlog of repairs and maintenance, which has since been reduced to \$132 million. In its last budget in government it committed to spend \$1 billion on maintenance and new capital projects during that term — and came close to doing it.

Those were just some of the achievements of the Kennett government that had nothing to do with economics and everything to do with social justice and support for the community. Many of the aspects of what the coalition did in government were controversial at the time and criticised by the Labor Party. The former government's actions were reformist, and some honourable members would probably say even courageous, but generally they worked because the system could be improved.

In industrial relations, for example, the former Liberal–National coalition government gave all Victorians the right to maternity, paternity and adoption leave. Previously, under the award system, people had no access to those rights because the majority of Victorian awards did not mention maternity, paternity or adoption leave. There was no provision for such

leave because awards were totally inflexible. That is why I am totally against the award system. There is a need for flexibility in the workplace, not only for staff and employees but also to ensure that best practice is adhered to at all times. Another reason those rights were not provided for in awards was that the union movement was and still is predominantly dominated by males, and most male unionists would not have considered parental leave a great priority at the time. Following the last election many members of the union movement have come into Parliament.

In a public policy sense the granting of maternity, paternity and adoption leave was one example of the Kennett government's commitment to what was best for individuals and the community — one's neighbours, street, local school, town, playgroup — and for society as a whole. It is often said that it takes a whole village to raise a child. The Kennett government encouraged Victorians not only to take more responsibility for their own families but also to look out for their neighbours and friends and those in society who needed help.

The former government demonstrated a commitment to a stronger society as a whole. I come back to the reference in the Governor's speech to a desire to restore confidence in Victoria and reflect on what it was like during previous Labor years. I completed my higher school certificate in 1985. The Victorian certificate of education was introduced the year after I left secondary school and my five siblings went through the VCE program. It changed annually or biannually and had a terrible effect on the quality of education for a whole generation of Victorians.

During that time there was a great lack of confidence, not only in investment and employment but also among individuals and Victorian communities. It was embarrassing to be a Victorian and to see many factories closing down. It was personally tragic for those seeking work because the unemployment rate was 11.8 per cent. All of those 200 000 to 300 000 unemployed had families, dependants and others whom they were unable to care for. It had a terrible effect on society as a whole.

The Independents charter refers to open and accountable government. In the previous Parliament I was privileged to serve on the Scrutiny of Acts and Regulations Committee (SARC), which was appointed under the Parliamentary Committees Act. The committee was required to scrutinise all bills and regulations made in Victoria and had a Governor in Council reference to look at redundant legislation. I was

honoured to be selected chairman of the redundant legislation subcommittee.

SARC has not been re-formed by the Bracks minority government and there is no indication of whether that will happen or whether a similar committee will be appointed. The lack of a committee to scrutinise bills as they are introduced into Parliament contravenes the Parliamentary Committees Act. Although bills have been introduced into both houses there has been no opportunity for a joint committee to consider the merits of the bills against the terms of reference in the act, including delegation powers.

Hon. B. W. Bishop — That's not very accountable!

Hon. M. T. LUCKINS — No, it is not accountable at all. Section 85 provisions also have to be reported on.

Under the Parliamentary Committees Act, all legislation introduced into either chamber must be scrutinised and a report tabled in both houses prior to the debate. In the lower house, bills that have not been scrutinised are being debated today and tomorrow the government plans to debate legislation in this house. So much for open and accountable government.

The joint parliamentary committee was non-political and often found oversights. Its charter was to assess bills and ensure they did not contravene human rights, create a travesty of justice or put too much pressure or financial burden on any one sector of the community. The committee was required to conform to strict criteria. Oversights and drafting errors were often found in the legislation prior to the bills being debated in Parliament. As a result, adjustments and amendments were made and these were reported on just before the bills were to be debated in the other house.

The minority Labor government is in contravention of the act and must address the matter quickly. It is also defying the charter agreed to in order to form government — I need not remind anyone in the chamber that three Independents have given government to the Labor Party although the Liberal Party holds more seats. The Liberal Party accepts that it is in opposition and will be vigorous.

Another aspect of the work of the Scrutiny of Acts and Regulations Committee is that it must ensure that all regulations and subordinate legislation are allowed or disallowed within 18 sitting days of the reconvening of Parliament to ensure the measure is correct, the Treasurer's limit on fee increases is adhered to, and the regulation conforms to other aspects of the regulations. Parliament is now in its third week of sitting.

I am not concerned about the current regulations because they belong to the previous government and I have faith they were properly developed and correctly drafted. However, the clock is ticking, and if subordinate legislation and bills are not being scrutinised, God help the government if something goes wrong!

It is odd that democracy in Parliament is being enhanced in the reform of Parliament by reducing the time for members' speeches from 30 minutes to 20 minutes in the Legislative Assembly. Many of us were subjected to the family-friendly-hours debate when the new government was in opposition. It is ludicrous that the lower house now starts at 9.30 a.m. instead of 10.00 a.m., guaranteeing that no parent of a school-age child can take the child to school in the morning before coming to Parliament.

Parliament is still finishing at 10.00 p.m. and often later. I wondered about the merits of the proposal by Lynne Kosky — now a minister in the Bracks government — for the Legislative Assembly to rise at 8.00 p.m. or 9.00 p.m. in time to allow members to go home to see their families. My children are in bed by 7.30 p.m. All that seems to have gone out the window with the Labor Party now in government. What else in the charter will not be adhered to? What other aspects of democracy in Parliament that the former opposition used to bleat about will the new government throw out the window?

An honourable member interjected.

Hon. M. T. LUCKINS — No, they never practise what they preach.

Members of the Labor government use the term 'restoring decency'. I refuse to accept that the previous government of which I was proud to be part was anything other than decent. I am proud of the achievements of the Kennett government, as I am proud to have the opportunity to represent my party and the people of Waverley Province in this Parliament.

The Kennett government made fundamental positive changes to the lives of Victorians. It contributed to a stable, confident and secure community that looked after the needs of society as a whole in a public policy sense. Thanks to the Kennett government, today Victoria has a stronger society and economy.

As I said earlier, I am disappointed at the lack of vision in His Excellency's speech. It is clear to all in this chamber that Leigh Hubbard, the secretary of the Victorian Trades Hall Council, was correct when he said, as was reported in this morning's paper, that the

government has on L-plates. The opposition could have filled him in on that. I hope the new government settles down quickly and learns about the parliamentary process and the running of departments. I hope it maintains the economic and social health of the state, which is the legacy of the Kennett government. I would be concerned about the future of Victorians, my constituents and my children were the minority Labor government to make the same mistakes the previous Cain–Kirner governments made.

Many members of the government carry the baggage of those days and contributed, if even in a small way, to the mismanagement and incompetence of the former Labor governments. Indeed, Mr Jennings admitted that the Cain–Kirner governments made mistakes. I hope the government does the best it can and does not engage in political point scoring. I remind it that the opposition in both this place and the lower house will be watching to ensure it delivers on its promises, particularly those contained in the Independents charter, and provides open and democratic government during the next four years.

Debate adjourned on motion of Hon. G. B. ASHMAN (Koonung).

Debate adjourned until next day.

ADJOURNMENT

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That the house do now adjourn.

Sunraysia: gas supply

Hon. B. W. BISHOP (North Western) — I refer the Minister for Energy and Resources to the fact that natural gas will soon be switched on in Mildura, Red Cliffs, Merbein and Irymple in Sunraysia. I am sure the minister will agree that having natural gas will be a tremendous advantage to those areas and will be aware the program was initiated by local government and the former Kennett government.

Natural gas is piped from South Australia by Boral Energy, with Envestra and Boral Energy Asset Management being the lead companies laying the pipelines and having responsibility for supplying gas in those areas. The companies have invested more than \$30 million in the project, and I can say from personal observation that the pipelaying has been professional and non-intrusive. The companies are experienced gas industry participants that have worked with the South

Australia Gas Company to supply gas to South Australia safely, reliably and cost effectively since 1861.

As happened in Victoria, South Australia has adopted a conservative approach to unflued appliances, such as room heaters, which have been allowed for 15 years if rigidly fixed. In Victoria an anomaly exist whereby unflued LPG appliances are permitted but similar natural gas systems are not. I understand the anomaly is under review and some leniency has been allowed during conversion to natural gas in Hamilton and other areas. Given that the area has many unflued LPG appliances, it would reduce costs for the wider community if those appliances were converted to natural gas.

Will the minister advise the house whether the anomaly will be removed and natural gas users in Mildura, Merbein, Irymple and Red Cliffs will be allowed the same flexibility as is afforded to LPG users in Victoria and natural gas users in South Australia?

Bellarine Peninsula: gas supply

Hon. E. C. CARBINES (Geelong) — I refer the Minister for Energy and Resources to recent comments made by Mr Cover concerning the Labor government's policy on gas flow to Clifton Springs. Will the minister inform the house of the status of the gas flow to the area?

Walwa Bush Nursing Hospital

Hon. W. R. BAXTER (North Eastern) — I refer the Leader of the Government, as the representative of the Minister for Health in another place, to the current plight of the Walwa Bush Nursing Hospital, which has received some coverage in metropolitan and local media.

Honourable members may be aware that Walwa is a small town in the Upper Murray district of Victoria, quite remote from Albury–Wodonga and some 50 or 60 kilometres from Corryong, the nearest town. The district has been well served by the bush nursing hospital for nearly 60 years. The community maintains a sterling effort in raising money for the hospital, and only two weekends ago some 50 or 60 local people attended at a vineyard and gave a day's labour to raise several thousand dollars for the hospital.

The bush nursing hospital relies on privately insured patients, and all honourable members know that because of the financial stress suffered by many people in country Victoria the incidence of private health insurance has declined. On top of that there has been an

outbreak of robust good health in the Upper Murray in the past six months and the hospital has suffered a temporary decline in occupancy rates, which has put its financial circumstances under stress. Prior to the recent election the then government was considering assisting the hospital at a cost of \$170 000 per annum by connecting it to the multipurpose centre in Corryong for the provision of accident and emergency services, which would have given it sufficient critical mass to ride out temporary crises, to ensure the retention of the doctors in the town and the maintenance of 22 part-time jobs.

The Minister for Health visited Wodonga last week, met with the board of management and was generous enough to give the hospital \$20 000 to tide it over for a day or so. I ask the Leader of the Government to impose on her colleague to make sure the undertaking he gave to have his department look at ways of assisting the hospital to survive is given the highest priority. The good citizens of Walwa and the surrounding district are under great stress as they wonder about the future of the hospital. The situation is serious and I would like them to be relieved of that stress as soon as possible.

Yering Primary School

Hon. G. R. CRAIGE (Central Highlands) — I refer to the Minister for Energy and Resources, as the representative of the Minister for Transport in another place, concerns regarding speed limits at Yering Primary School, which is located on the top of a crest on the Melba Highway. During school hours the Melba Highway carries significant traffic, particularly heavy vehicle traffic. Concerns have been raised about the current speed limits in the vicinity of the school.

Most honourable members who are parents will be aware of the difficulties experienced in dropping children off and picking them up outside schools situated on major roads. Yering Primary School is situated on a major highway, yet there is very little room in the school grounds for parents to drop their children off and pick them up. They therefore have to park on a crest on the side of the road.

What makes the situation even worse is that the children are usually dropped off opposite the school and consequently have to cross the road. That is causing a great deal of concern as the speed limit in the area is 100 kilometres per hour.

I am aware that Vicroads has variable speed signs which, because they are operated by solar power discs, show lower speed limits during school hours. It would

be advantageous to the children, the parents and the school community if variable signs were placed in the vicinity of Yering Primary School, so that outside school hours the speed limit remains at 100 kilometres per hour but when children are being dropped off and collected by car the speed limit is reduced to 60 kilometres per hour.

The government should act on the situation at Yering Primary School before a fatality or some other tragedy occurs. I ask the Minister for Transport to immediately install a school speed sign in the area to reduce the speed limit to 60 kilometres per hour during school hours.

Rail: Hughesdale station

Hon. ANDREW BRIDESON (Waverley) — I ask the Minister for Small Business to draw to the attention of the Minister for Housing or the Minister for Transport in the other place the state of a fence immediately south of the Hughesdale railway station. The fence, which adjoins the rail corridor and the housing ministry properties that face on to Arthur Street, has been badly vandalised. It is a long fence, extending over 200 or 300 metres and comprising more than 50 concrete panels with crisscross mesh and insulation in between. Concrete panels have been ripped off and thrown onto the railway line or strewn around the pedestrian pathway. The sound insulation is hanging off the fence, so aesthetically it looks bad.

I am not sure which department is responsible for the side of the fence that faces the railway line, but I ask either the Minister for Housing or the Minister for Transport to ensure that repairs are undertaken immediately. The fence poses a threat to the safety of the pedestrians who use the pathway and the residents of the housing ministry properties, and I ask that immediate action be taken to repair it.

Police: station upgrades

Hon. A. P. OLEXANDER (Silvan) — I ask the Minister for Sport and Recreation to refer to the Minister for Police and Emergency Services in another place the policing policy announced by the Australian Labor Party during the election campaign, which among other things included the building of new or replacement police stations. The policy states:

Labor, in accordance with the Victoria Police strategic facilities plan, will upgrade or replace 15 police stations.

Labor will provide new stations or replacement police stations (including some 24-hour facilities) at Bacchus Marsh, Bellarine Peninsula, Belgrave, Croydon, Diamond Creek, Eltham, Endeavour Hills, Gisborne, Kilmore —

and the list goes on.

On the upgrading of police stations, Labor's policy states:

Labor recognises that some stations should be staffed for longer hours where there is an increase in the level of crime.

The policy goes on to specifically point out that:

In the nine months to March of this year violent crime reported at Mount Evelyn police station had increased by 495 per cent while property damage, residential burglaries and car theft all recorded increases over the same period at the Olinda police station ...

That is in my electorate! The policy also states:

Labor's pledge for 800 extra police officers will mean that Mount Evelyn and Olinda police stations will be able to be staffed for 16 hours and 12 hours a day, respectively.

I ask the minister to clarify a statement made by a Labor spokesperson to one of my local newspapers. In the *Ranges Trader Mail* of 9 November the minister's spokesperson is quoted as saying about local police numbers:

It's a very high priority of this government to get police on the street. We know this is a strong concern in the Dandenong Ranges.

The minister's spokesperson is right — it is a strong concern! In the article the spokesperson confirmed that the government was committed to upgrading Belgrave police station to a 24-hour service and to ensuring that the Mount Evelyn police station opened for 16 hours a day and the Olinda police station for 12 hours a day. However, in the same article the minister's adviser emphasised that decisions about the manning of and the placement of resources in new stations would be taken by police command, not by the minister or the minister's office.

I ask the minister to clarify the situation regarding decisions on the manning of and resources for Victorian police stations. In its statewide policy the Labor Party gave a clear commitment to the people in the Dandenong Ranges. I ask the minister how many extra police will be required in each station to meet the hours-of-operation commitments the ALP made for the Mount Evelyn, Olinda and Belgrave police stations and when work will commence on the proposed replacement of the 24-hour police station at Belgrave.

Hon. M. M. Gould — On a point of order, Mr President, the honourable member would be aware — the point has already been raised in this session of Parliament — that on the adjournment debate

honourable members are entitled to raise one issue only, not three or four.

Hon. K. M. Smith — On the point of order, Mr President, the issues Mr Olexander is raising are all to do with the one question relating to the commitments on police stations.

The PRESIDENT — Order! The general issue the honourable member is raising is policing in his province. However, the question has developed into a series of subquestions. The honourable member has put enough subquestions to the minister to give the flavour of his request, so he does not need to put any more. One matter only should be raised, so there should be only one question.

Swimming pools: fencing

Hon. N. B. LUCAS (Eumemmerring) — I ask the Minister for Energy and Resources to refer to the Minister for Local Government in another place the fencing of pools in general and the safety of backyard swimming pools in particular.

I noticed in an article in last week's *Age* a comment that almost half Victoria's backyard swimming pools remain unfenced. I recall that during the debate on legislation requiring the fencing of backyard swimming pools the then government agreed that the issue would be pursued over time because it was inappropriate to expect people to install fences around their pools at 5 minutes notice. Owners were therefore given time to do something about it. The article noted that 40 per cent of pools still do not comply with the safety standards and that each year eight toddlers drown in backyard swimming pools, spas and wading pools.

The effort needs to be ongoing. I raise the issue in the hope that the new government will continue to pursue it. The question I specifically ask relates to the comment by the Municipal Association of Victoria that it believes the process for checking on pool safety at the local government level is adequate. That may not be the case. Having regard to the article in the *Age* of 7 November, which includes a picture of a swimming pool without a fence, it is quite obvious that people have still not taken the issue as seriously as they should.

I ask the minister to take up the matter with the minister in the other place and let me and my constituents know what action the government intends to take so that local councils or the government ensure that fencing is installed around all backyard swimming pools.

Mobile phones: radiation

Hon. K. M. SMITH (South Eastern) — I raise with the Minister for Consumer Affairs an issue that is close to us all — the use of mobile telephones. I am sure most honourable members have one and use it regularly. There is concern in the community about radiation from the antennas of mobile phones. The minister seems to be aware of the situation, and I ask her whether any action will be taken to investigate the possible dangers of mobile telephone use. I would like the minister to explain to the house what action the government will take to ensure the safety of Victorians, particularly politicians.

Mordialloc Primary School

Hon. J. W. G. ROSS (Higinbotham) — I raise with the Minister for Sport and Recreation, representing the Minister for Education in another place, an issue that was referred to in a document entitled Carrum Independent Election 99 circulated by Jenny Lindell. An article headed 'New Primary School at Aspendale Gardens' states:

Building a primary school at Aspendale Gardens is a key pledge of the Victorian Labor Party, candidate for the state seat of Carrum Jenny Lindell announced this week.

There is a photograph of Jenny Lindell and Mary Delahunty at the Aspendale Gardens school site.

Carrum is an electorate that neighbours my province. An article in the Chelsea *Independent* is headed 'New School Pressure on Lindell Now'. The community is responding. My concern is that a number of pupils from the Mordialloc Primary School are drawn from that area, and during its period in office the Kennett government contributed more than \$300 000 to the school for major maintenance — in excess of \$146 000 on one occasion and \$100 000 on another, a massive commitment.

I ask the minister when the school across the border from my electorate will commence and whether I can have an assurance that it will not have a detrimental effect on the Mordialloc Primary School.

Workcover: redemption application

Hon. P. R. HALL (Gippsland) — I raise with the Minister assisting the Minister for Workcover a matter involving a constituent of mine who has a Workcover problem. In line with advice previously given to the house I do not wish to mention the name of my constituent. I am happy to hand on to the minister at a later stage the name and Workcover number.

My constituent was employed by the Victoria Police and some 10 years ago suffered a major back injury as a result of a workplace incident. The injury required extensive surgery over that period. My constituent is classified as seriously injured and has been so classified since the time of his accident. To his great credit he is not prepared to sit back and let the injury get the better of him. He has paid for various courses as part of his rehabilitation process, and recently he purchased a travel agency business. Obviously his injury allows him to operate that business, and that is why he chose it.

To assist in the purchase of the business my constituent sought a redemption payment under section 115 of the act. The application for redemption was lodged in July this year, but it has still not reached the Workcover board for assessment. There is a suggestion that the insurer has delayed finalisation of the application, and certainly there is a history of the insurer contesting many of the claims made throughout the time my constituent has received benefits. Many matters have gone to conciliation at the former Administrative Appeals Tribunal and various other jurisdictions.

My constituent is doing the right thing. He is trying to make a life for himself independent of the receipt of weekly Workcover benefits. I ask that the Minister for Workcover make himself aware of the case and do all within his power to facilitate a prompt consideration of the redemption application.

Petrol prices

Hon. E. G. STONEY (Central Highlands) — I refer the Minister for Consumer Affairs to her answer on petrol pricing today during question time when she confirmed that the government is not considering legislation to assist with petrol prices, especially in country areas. During the day there have been reports on the radio, even as late as 5 o'clock this evening, stating that the minister is asking the public to do in errant petrol stations that are perceived not to be doing the right thing.

I point out that the Australian Automobile Association and the Royal Automobile Club of Victoria are already monitoring petrol prices in a professional way across Australia, especially in country Victoria, so it appears that the government is not planning anything new. It seems that the minister is raising the issue to make herself look good and pretend she cares about the country. I ask her what new and constructive action she is planning or whether she is just raising the issue in a populist way to mislead people into thinking she can do something when she really intends to do no more than talk about it and make herself look good.

Essential services ombudsman

Hon. ANDREA COOTE (Monash) — I direct a matter to the attention of the Minister for Energy and Resources. Under the heading 'Labor's Vision for Energy' the Labor Party's policy documentation states that an independent essential services ombudsman will be established to handle customer complaints and make rulings related to compensation. Will the minister explain to the house whether the ombudsman will be established before Christmas, and if so, what form the consultation process will take?

Colosseum Hotel site

Hon. BILL FORWOOD (Templestowe) — I raise a matter with the Minister assisting the Minister for Planning, fully expecting him to flick it to the other house. The Banyule Community Health Centre, situated in West Heidelberg, provides a terrific service to the people of the area. It is proposed that it be moved to the site of the old Colosseum Hotel. On 15 July the Government Whip in the other place wrote to the then Premier calling on the state government to compulsorily acquire the old Colosseum Hotel site to assist the local community to keep the valuable community centre in West Heidelberg. The former Premier wrote back a skilfully worded letter stating:

Your request is completely consistent with the ALP's longstanding practice of raiding the public purse in vain attempts to solve every problem. This is precisely the behaviour which brought Victoria to its knees under the last Labor government.

He then went on to say that it was not the policy of the then government to compulsorily acquire the site. Now that Labor is in government, will it fulfil the Government Whip's request to compulsory acquire the hotel site?

Industrial relations: public sector

Hon. M. A. BIRRELL (East Yarra) — I refer the Minister for Industrial Relations to the Community and Public Sector Union case that is currently being considered by the Australian Industrial Relations Commission and in particular to the government's handling of the matter. I understand the government has decided to remove the solicitors, Minter Ellison, who are handling the case for the state and also to remove Queen's Counsel, Mr Ian Douglas. Will the minister indicate why the government chose to remove the solicitors and Queens Council midway through the case, and whether as a result instructions to their replacement have been altered?

Ashburton Primary School

Hon. D. McL. DAVIS (East Yarra) — I ask the Minister for Sport and Recreation to direct to the attention of the Minister for Education in another place a matter concerning the Ashburton Primary School. This week the school received its global budget and a number of members of the community have expressed concern that the allocation of 0.6 staff funding will not meet the Labor Party's promises and policies given at the last election to cap school class sizes. There is no clear link between the money given as part of the school's global budget and the promise to lower class sizes and cap the present class size level.

This matter was brought to my attention by the Liberal Party candidate in Burwood, Lana McLean, who spent a good deal of time talking to the school community earlier this week. Parents are concerned that it may be yet another Labor broken promise. It is unclear whether this small amount of money can in any way meet that required to cap class sizes, as was promised.

Housing: Long Gully estate

Hon. R. A. BEST (North Western) — I ask the Minister for Small Business to direct the attention of the Minister for Housing in another place to the redevelopment of the Long Gully housing estate.

I had the pleasure of chairing a committee that examined the feasibility study report into the redevelopment of the Long Gully housing estate on behalf of the Office of Housing in the Department of Human Services. The report was finalised earlier this year and the former government provided some \$6 million to address the report's recommendations. The government was about to go to the master planning stage when the election was called. It was intended that the master plan would be completed before the end of the year. As yet there has been no indication from the minister whether the plan is to be implemented and whether the upgrade is to proceed.

It did not concern just the physical stock within the estate; it was aimed at solving a whole range of social problems, particularly drugs, crime and children's behaviour. The recommendations provided to the minister had a large social component. A number of people are concerned because the minority Labor government has not commented. They are unsure of the status of the project. Will it proceed or is the government reconsidering its position on the redevelopment of the Long Gully area?

Gippsland Lakes

Hon. PHILIP DAVIS (Gippsland) — I direct the attention of the Minister for Energy and Resources to fish stocks in the Gippsland Lakes. It is well understood that the Gippsland Lakes are one of the most significant fisheries in Victoria, not only for recreational fishing but also for commercial fishing. They add to the economic value of the state, and in particular to the East Gippsland region.

A significant decline in fish stocks has occurred, especially in black bream. The economic welfare of the region is threatened because of the relationship between tourism and fisheries. During the review of bays and inlet fisheries the Fisheries Co-Management Council consultants identified that the most significant influences in the decline of fish stocks were water quality and habitat. In 1998 the Gippsland Coastal Board commissioned the Commonwealth Scientific and Industrial Research Organisation (CSIRO) to undertake a Gippsland Lakes environmental audit. A key recommendation was the suggestion to develop an aquatic ecosystem model for the Gippsland Lakes. In part, the report says:

A three-dimensional hydrodynamic model of the lakes needs to be constructed to examine in more detail the precise interactions of freshwater and marine inflows, tidal mixing and entrance dynamics, and saltwater/freshwater balances. The hydrodynamic model could be integrated with an ecological model to provide a synthesis of scientific understanding of the ecosystem.

The integrated model would be used to predict the impacts of management decisions regarding the lakes, through modelling various nutrient load scenarios. The scenarios may be related to flow control, catchment practices, farm management, urban development, sewerage systems and the control of boating and fishing activities.

The cost of the model will be significant. It is estimated to be in excess of \$600 000. The CSIRO has committed direct and in-kind support of \$200 000. The Gippsland Coastal Board has committed \$100 000. Further various instrumentalities that have a stake in the integrated catchment management of the Gippsland Lakes, including Gippsland Water, Southern Rural Water, the East Gippsland Catchment Management Authority, the West Gippsland Catchment Management Authority and the Statewide Nutrient Management Committee, have also made commitments. There is a shortfall of \$200 000 in achieving funding for the project. Will the minister support the project, which is of great importance to fish stocks in the Gippsland Lakes?

Responses

Hon. M. M. GOULD (Minister for Industrial Relations) — The Honourable Bill Baxter raised a matter for the attention of the Minister for Health in the other place about the Walwa Bush Nursing Hospital. The minister was there last week. I will pass the matter on to him.

The Honourable Peter Hall referred to Workcover and a constituent with injuries received some years ago. He has given me the name and address and the Workcover claim. I shall raise the matter with the Minister for Workcover.

The Leader of the Opposition referred to a Community and Public Sector Union case. I presume it is the MX case before the Australian Industrial Relations Commission, because the CPSU has more than one case. With regard to the government changing the solicitors handling the case, as reported in the *Australian Financial Review* some weeks ago the government has changed solicitors. It used the panel tendering process the previous government had in place regarding solicitors. As a result, Corrs Chambers Wesgarth have been appointed on behalf of the government.

Hon. C. C. BROAD (Minister for Energy and Resources) — The Honourable Barry Bishop referred to gas connections to a number of localities, including Mildura, and the conversion of appliances from liquefied petroleum gas to natural gas. The matter has not previously been raised with me and I will be very pleased to look into it and advise the honourable member further.

The Honourable Elaine Carbines asked about the connection of gas to Clifton Springs. Following the first of what I expect will be many community cabinet meetings by the Bracks government I was pleased to meet recently in Geelong with representatives of the Bellarine gas committee, representatives of the City of Greater Geelong and a member for Geelong Province. At that meeting I was pleased to clarify a number of matters, including the connection of gas to Clifton Springs. Some confusion had arisen about which towns were to be connected. The confusion resulted from statements the Honourable Ian Cover made in the house when he referred to the connection of Portarlington, Indented Heads and Clifton Springs and neglected to refer to the town of St Leonards. The towns that are being connected are in fact St Leonards, Portarlington and Indented Heads. The town of Clifton Springs was connected to gas under the last Labor government and has had gas connected for some time.

The Honourable Geoff Craige raised for the attention of the Minister for Transport in another place a very important matter concerning speed limits in the vicinity of Yering Primary School, which he advised are 100 kilometres per hour. He asked that a variable speed limit be set for the safety of students, parents and staff. I will be pleased to refer the matter to the Minister for Transport for a response.

The Honourable Neil Lucas referred the attention of the Minister for Local Government in another place to a comment by the Municipal Association of Victoria that enforcement of pool fencing is inadequate. He referred to a number of recent drownings and asked that the government take action. I will refer the matter to the minister for a response.

The Honourable Andrea Coote asked when the Labor government will implement its policy to establish an essential services ombudsman and whether consultation will take place. In accordance with Labor's strong commitment on the implementation of election policies, consultation has already commenced with the key stakeholders, including the Office of the Regulator-General, and more will follow. I appreciate that many people are anxious for the government to get on with the job of implementing its policies before Christmas, if possible, which it is certainly endeavouring to do. That may be just a little soon to get the position established, but the government will make every effort to do so.

The Honourable Philip Davis asked a very detailed question about fish stocks in the Gippsland Lakes and the many issues involved in ecological modelling of the lakes. I will not endeavour to summarise the details, but the bottom line was whether the government would consider meeting a shortfall of \$200 000 to assist with the cost of the very complicated modelling. I will be happy to look at the issue and respond to the shadow minister.

Hon. M. R. THOMSON (Minister for Consumer Affairs) — The Honourable Andrew Brideson referred the attention of the Minister for Health in another place to the fence at the Hughesdale railway station between the rail corridor and the Ministry of Housing property. It sounds as though the matter needs some attention. I will refer it to the appropriate minister.

The Honourable Ken Smith asked about radiation from mobile telephones — something that would be of concern to everyone in this chamber and to a number of people outside. The issue has not just been raised with me; it has implications beyond the spheres of consumer affairs and health and requires government attention at

both state and federal levels. It is therefore a national issue.

The Honourable Graeme Stoney asked about petrol pricing. The government is interested in raising consumer awareness about consumer rights and will vigorously pursue the matter.

The Honourable Ron Best referred to the status of the Long Gully housing estate. I will refer the matter to the Minister for Housing.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — The Honourable Andrew Olexander asked a lengthy question about the upgrade and replacement of a number of police stations and about manning and resources decisions. I will refer the matter to the Minister for Police and Emergency Services in the other place.

The Honourable John Ross raised concerns about the potential establishment of a primary school at Aspendale Gardens and the impact on the Mordialloc Primary School. I will refer the matter to the Minister for Education in the other place.

The Honourable Bill Forwood asked about the status of the Banyule community centre and the Colosseum Hotel site. I will refer the matter to the Minister for Planning in the other house.

The Honourable David Davis referred to the Ashburton Primary School, staff allocations and the global budget. I will refer it to the Minister for Education in the other place.

Motion agreed to.

House adjourned 6.18 p.m.