

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

Book 1

3 and 4 November 1999

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By authority of the Victorian Government Print

The Governor

His Excellency the Honourable Sir JAMES AUGUSTINE GOBBO, AC

The Lieutenant-Governor

Professor ADRIENNE E. CLARKE, AO

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Parliamentary Secretary of the Cabinet	The Hon. G. W. Jennings

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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Deputy President and Chairman of Committees: The Hon. B. W. BISHOP

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Deputy Leader of the Government:

The Hon. G. W. JENNINGS

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The Hon. M. A. BIRRELL

Deputy Leader of the Opposition:

The Hon. BILL FORWOOD

Leader of the National Party:

The Hon. R. M. HALLAM

Deputy Leader of the National Party:

The Hon. P. R. HALL

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Baxter, Hon. William Robert	North Eastern	NP	Jennings, Hon. Gavin Wayne	Melbourne	ALP
Best, Hon. Ronald Alexander	North Western	NP	Katsambanis, Hon. Peter Argyris	Monash	LP
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Bowden, Hon. Ronald Henry	South Eastern	LP	Madden, Hon. Justin Mark	Doutta Galla	ALP
Brideson, Hon. Andrew Ronald	Waverley	LP	Mikakos, Hon. Jenny	Jika Jika	ALP
Broad, Hon. Candy Celeste	Melbourne North	ALP	Nguyen, Hon. Sang Minh	Melbourne West	ALP
Carbines, Hon. Elaine Cafferty	Geelong	ALP	Olexander, Hon. Andrew Phillip	Silvan	LP
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Davis, Hon. David McLean	East Yarra	LP	Smith, Hon. Robert Fredrick	Chelsea	ALP
Davis, Hon. Philip Rivers	Gippsland	LP	Smith, Hon. Wendy Irene	Silvan	LP
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Furletti, Hon. Carlo Angelo	Templestowe	LP	Strong, Hon. Christopher Arthur	Higinbotham	LP
Gould, Hon. Monica Mary	Doutta Galla	ALP	Theophanous, Hon. Theo Charles	Jika Jika	ALP
Hadden, Hon. Dianne Gladys	Ballarat	ALP	Thomson, Hon. Marsha Rose	Melbourne North	ALP

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Wednesday, 3 November 1999

**OPENING OF PARLIAMENT BY
COMMISSION**

Fifty-fourth Victorian Parliament opened by commission.

Senior Commissioner appointed by His Excellency the Governor of the state of Victoria for this purpose, the Honourable Mr John Harber Phillips, Chief Justice of Supreme Court of Victoria.

Proceedings commenced 11.03 a.m.

PROCLAMATION

Following proclamation read by Clerk:

I, Sir James Gobbo, AC, Governor of the state of Victoria, acting under section 8 and 20 of the Constitution Act 1975 and all other powers vested in me, fix 3 November 1999 at 11.00 a.m. as the time for the commencement and holding of the first session of the fifty-fourth Parliament of Victoria for the dispatch of business, at the Parliament Houses, Melbourne. The honourable the members of the Legislative Council and the members of the Legislative Assembly are required to attend at that time and place.

Given under my hand and the seal of the state of Victoria, at Melbourne, on
7 October 1999.
James Gobbo, Governor.

By His Excellency's Command,
J. G. Kennett, Premier.

Commissioners entered chamber and were conducted to chairs by Usher of the Black Rod.

Senior Commissioner directed that attendance of members of Legislative Assembly be requested.

Members of Legislative Assembly appeared at bar.

The SENIOR COMMISSIONER (Justice J. H. Phillips) — Honourable members of the Legislative Council and members of the Legislative Assembly: His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause a commission to issue under the seal of the state constituting us his commissioners to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the commission, which will now be read by the Clerk.

Commission authorising commissioners to open Parliament read by Clerk.

The SENIOR COMMISSIONER — Honourable members of the Legislative Council and members of

the Legislative Assembly: I have it in command from His Excellency to let you know that later this day His Excellency will declare to you in person in this place the causes of his calling this Parliament together; and as it is necessary before you proceed to the dispatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that the Legislative Assembly proceed to the choice of a proper person to be such Speaker.

Members of the Legislative Assembly retired from Chamber.

Commissioner escorted from Chamber by Usher of Black Rod.

SWEARING IN OF MEMBERS

Senior Commissioner announced receipt of commission from His Excellency the Governor to administer oath or affirmation.

Commission read by Clerk.

Clerk announced receipt of return of writ issued by His Excellency the Governor for election of members to serve for provinces set out below and endorsed to show election of following members:

Province	Member
Ballarat	Hadden-Tregear, Hon. Dianne Gladys
Central Highlands	Stoney, Hon. Eadley Graeme
Chelsea	Smith, Hon. Robert Fredrick
Doutta Galla	Madden, Hon. Justin Mark
East Yarra	Birrell, Hon. Mark Alexander
Eumemmerring	Rich-Phillips, Hon. Gordon Kenneth
Geelong	Carbines, Hon. Elaine Cafferty
Gippsland	Davis, Hon. Philip Rivers
Higinbotham	Strong, Hon. Christopher Arthur
Jika Jika	Mikakos, Hon. Jenny
Koonung	Atkinson, Hon. Bruce Norman
Melbourne	Romanes, Hon. Glenyys Dorothy
Melbourne North	Thomson, Hon. Marsha Rose
Melbourne West	Darveniza, Hon. Kaye
Monash	Coote, Hon. Andrea
North Eastern	Baxter, Hon. William Robert
North Western	Bishop, Hon. Barry Wilfred

Province	Member
Silvan	Olexander, Hon. Andrew Phillip
South Eastern	Bowden, Hon. Ronald Henry
Templestowe	Forwood, Hon. William
Waverley	Brideson, Hon. Andrew Ronald
Western	Hallam, Hon. Roger Murray

RESIGNATION OF MEMBERS

The CLERK — I have also to announce that on 24 August 1999 Mr President received the following communication from His Excellency, the Governor:

Dear Mr President

I enclose letters of resignation received by me this day from the Hon. R. I. Knowles, MLC, the Hon. C. J. Hogg, MLC, and the Hon. B. T. Pullen, MLC, resigning their seats of Ballarat, Melbourne North and Melbourne respectively in the Legislative Council.

Yours sincerely
James Gobbo
Governor

Those letters, all addressed to His Excellency the Governor, read:

Your Excellency

I hereby tender my resignation as the member for Ballarat Province in the Legislative Council, effectively forthwith.

I do so to contest the seat of Gisborne in the Legislative Assembly at the forthcoming election.

I have been greatly honoured to serve in the Legislative Council for the past 23 years and will remember with great fondness my association not just with the institution but particularly with the members and officers of the Council over the period.

Yours faithfully
Rob Knowles

Dear Sir James

Having considered all the circumstances I wish to tender my resignation as member of the Legislative Council for Melbourne North Province.

I have acted promptly on the Premier's announcement to facilitate the holding of a by-election for my seat in conjunction with the general election.

It has been a great pleasure and honour to have represented Melbourne North Province from 1982–1999.

Yours faithfully
Caroline Hogg

Dear Sir James

Having considered all the circumstances I wish to tender my resignation as MLC for the seat of Melbourne Province in the Legislative Council.

I consider I have been very fortunate in being able to represent the people of such a diverse and rich area of Melbourne and to have been able to serve in a Labor government.

I have acted promptly on notice of the Premier's announcement to facilitate the holding of a by-election for my seat in conjunction with the general election.

Yours sincerely
Barry Pullen

Clerk announced receipt of return of writs issued by Mr President on 24 August 1999 for the Ballarat, Melbourne and Melbourne North provinces set out below:

Province	Member
Ballarat	McQuilten, Hon. John Martin
Melbourne	Jennings, Hon. Gavin Wayne
Melbourne North	Broad, Hon. Candy Celeste

Recently elected members took and subscribed either oath or affirmation of allegiance to Her Majesty Queen Elizabeth II.

Senior Commissioner withdrew.

The President took the chair and read the prayer.

The PRESIDENT — Order! I remind honourable members that His Excellency the Governor will be pleased to receive me in the north library at 2.00 p.m. I ask honourable members to meet in the central library a few minutes before 2 o'clock to accompany me. I will resume the chair at 2.30 p.m.

Sitting suspended 11.27 a.m. until 2.30 p.m.

GOVERNOR'S SPEECH

Usher of the Black Rod announced approach of His Excellency the Governor.

His Excellency entered chamber accompanied by suite.

Legislative Assembly members, with Speaker, attended in response to His Excellency's summons.

His Excellency addressed following speech to both houses of Parliament:

Mr President and honourable members of the Legislative Council:

Mr Speaker and members of the Legislative Assembly:

The general election on 18 September and supplementary election for Frankston East on 16 October resulted in a change of government in Victoria. The Leader of the Australian Labor Party, Mr Bracks, was offered and given the commission to govern after advising me that he enjoyed the support of two Independent members of the Legislative Assembly and one Independent member elect of the Legislative Assembly, and could form a minority government.

I have called you together today for the first session of the 54th Parliament to deliberate on the policy directions for the term of the new government.

The Australian Labor Party was pleased to enter into a formal memorandum of understanding with the Independent members for Mildura and Gippsland West, and the Independent member elect for Gippsland East, based on their Independents Charter Victoria 1999.

In his written response to the charter, Mr Bracks indicated that he supported the charter in its entirety and noted that it was his party's policy to implement the reforms it proposed to revitalise Victoria's democratic institutions, increase community participation in decision making and strengthen the power of key independent watchdogs. In particular, the five points listed in the charter formed the basis of the Australian Labor Party's election campaign and policy development process. The majority of Victorians who supported the Australian Labor Party did so on the understanding that they were voting for a government that would:

- promote open and accountable government;
- improve the democratic operation of the Parliament;
- establish clear plans, strategies and targets to address the urgent needs of rural and regional Victoria;
- introduce an improved code of conduct between government and all other members of the Parliament; and
- defer any further privatisation of public assets or long-term contracting of government services until an independent inquiry has assessed experience to date.

The government's legislative program will sow the seeds of lasting and permanent democratic reform,

focusing on the implementation of its program for good government and reform of the Parliament. The government will also commence implementation of its key commitments in the areas of health, education, community safety and growing the whole of the state together with the community.

The government's first item of legislation will restore the powers of the Auditor-General by repealing the 1997 Audit (Amendment) Act. The legislation will:

- restore the independence of the Auditor-General to conduct audits in his own right;
- enshrine the independence of the Office of the Auditor-General in the Victorian constitution;
- increase the recurrent funding of the Office of the Auditor-General; and
- ensure that all future appointments to the office of Auditor-General are made on the recommendation of the joint parliamentary Public Accounts and Estimates Committee.

The government's first priority is to restore public confidence in our democratic institutions. The government believes that Victorians demand and deserve a government with a real commitment to democratic practice. To this end, the government will:

- increase access to public documents by amending the Freedom of Information Act;
- restore the independence of the Director of Public Prosecutions and enshrine that office in the Victorian constitution; and
- abolish compulsory competitive tendering in local government.

The process of renewal will extend to the Parliament, and the government will introduce legislation to reform the Legislative Council. Should the Legislative Council block the government's legislation to reform that chamber, the legislation will be referred to the new Victorian constitutional commission for consideration of putting a question by way of plebiscite to the Victorian community. The government will establish the Victorian constitutional commission, made up of eminent persons representative of the community, so that it can begin its work of reviewing the state constitution.

Further, the government will act to extend parliamentary sitting days to a minimum of 50 per year, reform question time by providing for a minimum of

10 questions, and establish properly resourced standing committees to review legislation and the operation of the executive government. These measures reflect the government's belief that open public debate is vital for a healthy democracy. The government acknowledges and supports the right of the Parliament and the community to scrutinise the actions of the executive.

The government will establish a royal commission into the ambulance/Intergraph issue, including the handling of related freedom of information requests.

The new government is committed to restoring public confidence through a new era of openness and accountability. It will abolish ministerial credit cards and introduce tough new guidelines to ensure public servants and statutory office-holders do not misuse taxpayers' funds. The government will also initiate a review of key government consultancies, make public major government contracts, and commission an audit review to provide an assessment of major contracts entered into by the previous government.

The government believes that Victorians are citizens rather than customers and deserve accountability and decent standards in service delivery. At the same time, the government will commence planning for an essential services commission to protect the interests of Victorian consumers of privatised essential services. The government is committed to ensuring that each of our state's citizens is treated equally — with honesty, dignity and respect.

The government is especially proud of Victoria's reputation as the nation's multicultural capital and of the bipartisan support multiculturalism has enjoyed throughout many decades. The government is confident that through this continuing bipartisanship Victoria's status as a tolerant, mature, multicultural society will continue to grow and flourish.

The government is committed to a substantial four-year program of reform to reinvigorate the state and restore pride and public confidence in Victoria's school and hospital systems and the quality of services. The government will deliver better health, education and community services and help to build a proud and inclusive community of citizens founded on decency, openness and fairness.

The government recognises the desire of Victorians to live in a society where all citizens are valued, listened to and respected and in which all members of the community build the state together and meet its challenges together. Such a society is not divided into winners and losers. The government is committed to

building the whole state, and not just one part of it. This was the clear wish of the Victorian electorate, particularly those Victorians living in rural and regional communities. The government believes in a state that grows together, not as a series of competing postcodes.

The government will act immediately to rebuild our regional and rural communities. It will introduce legislation to establish a \$170 million regional infrastructure development fund. The fund will revive local economies by providing for infrastructure projects in regional and rural Victoria. The appointment of a Minister for State and Regional Development, to be supported by a new department of state and regional development, will strengthen the focus on regional development programs and opportunities. The Office of Rural Affairs will also be upgraded.

The cabinet will meet regularly in regional and rural Victoria as a community cabinet. The first community cabinet will be convened during this session.

The government will also abolish the catchment management authority tariff, which many country and regional Victorians see as an unfair impost.

A key priority will be to forge a new partnership with local government. The government believes that participation in grassroots democracy is vital to a fully engaged citizenship and that control over the future of their streets, suburbs and towns must be restored to local communities. The government will:

- convene a meeting of mayors and shire presidents from rural and regional Victoria to discuss priority actions to be taken to rejuvenate regional Victoria;

- announce interim height controls on the foreshore, to prevent inappropriate development;

- commence the preparation of guidelines that clearly define the scope and limits of ministerial intervention in planning matters; and

- hold a major meeting with all local councils to establish a new partnership between state and local government in planning.

The government has an innovative transport plan to link the state's regional cities and towns with Melbourne through the provision of affordable and safe transport routes. It will arrange for feasibility studies on a number of major improvements. Working in partnership with the private sector, the government will contribute \$20 million for a rapid transit link from Melbourne to the airport and \$20 million for a fast rail link to Geelong. These initiatives will cut travel times

to 15 minutes from the airport to Melbourne and 45 minutes from Melbourne to Geelong.

The government will also contribute \$20 million for a fast rail upgrade to Bendigo, aiming for an 80-minute link to Melbourne. The government will also contribute \$15 million to upgrade the Traralgon line, and \$25 million for a fast rail link to Ballarat — cutting travel time to under 60 minutes.

For the first time in the state's history, its great provincial cities will be properly connected to Melbourne. These links will ensure that Victoria's provincial cities thrive, attracting new residents and new industries. These links will carry commuters, produce, manufactured goods and exports. By joining our regions and towns to the capital, the government will help provide the setting for a new economic and social geography for Victoria. It will answer the powerful claim that regional Victoria has made for a fair share of job growth and prosperity.

The government is committed to driving that new growth and new prosperity beyond Victoria's provincial cities and into all of country Victoria by contributing \$40 million to the standardisation of the rural freight network from the regional infrastructure development fund. Standardisation will overcome a problem that has existed since Federation but which has never been adequately addressed.

The government's measures will ensure that Victoria enters the new century free of the transport and development problems that have held it back for 100 years. These services will be the new lifelines of the state, reinvigorating regional Victoria and renewing Melbourne by taking population pressure off its outer suburbs. To initiate this process, the government will:

- announce a review of the performance of transport services that have replaced country passenger services closed since 1992;

- commence discussions with rail companies in relation to the upgrading of major-provincial-cities-to-Melbourne rail networks;

- finalise tenders to improve and widen the Geelong freeway; and

- negotiate with Transurban to address the disadvantages faced by country motorists in relation to City Link tolls, with the intention of achieving a better deal for them.

The government will also make roads safer across the state. It will use a one-off dividend of \$240 million

from the Transport Accident Commission to fix accident black spots across the state. A full 50 per cent of that \$240 million will be spent in country Victoria. Country roads now account for 21 per cent of all road injuries and 40 per cent of all road deaths. Targeting black spots will both save lives and reduce costs.

The government recognises that building the whole of the state will require the targeting of struggling suburbs and towns to realise their full potential. The government will provide \$60 million over three years for community infrastructure projects in areas of high unemployment. The objective is to generate 2600 jobs every year for three years. The government will also go into partnership with the private sector to recruit 4700 new apprentices and trainees and get them into jobs. This represents a four-year commitment of \$26.25 million.

In addition, over four years the government will subsidise 2500 disadvantaged and long-term unemployed young people into new training places. The government rejects the notion of a lost generation and will work instead to ensure that every Victorian is given ample opportunity to participate in the life of the state.

The government will boost public and community housing by \$90 million over three years to build 800 housing units and create 1800 new jobs directly and more than 3000 new jobs indirectly.

The government believes in growing the whole of the state and will take immediate action to restore confidence in Victoria. Victoria must create wealth and provide sustained economic growth if it is to prosper. That prosperity must be based on high productivity, a highly skilled work force, wages that ensure a high standard of living and international competitiveness. The key to the government's approach will be inclusiveness. The government believes that Victoria is more than an economy — it is a society — and that economic prosperity is not an abstract goal but a social objective. The government will seek to share the benefits of prosperity among all Victorians.

The government will develop and implement industry plans in traditional and emerging sectors based on a strategic audit of Victorian industry. It will also establish an infrastructure planning council, a range of industry consultative committees and a council of small business representatives.

The government's review of the Retail Tenancies Act will focus on its operation and adequacy in protecting small and medium-size retail businesses.

The government will also consult widely with the dairy industry to develop a dairy industry plan and give all dairy farmers a vote in relation to industry arrangements.

Recognising the importance of information technology in the social and economic life of the state, the government is committed to making information technology accessible to industry and the community, including regional and rural Victoria.

More generally, the government will aggressively promote Victoria as an investment opportunity throughout Australia and internationally.

The government is committed to providing all Victorians with access to a quality education and lifelong learning opportunities. The government believes that education is a public right and favours an education system based on cooperation rather than competition. The government will take a new approach to education — giving every Victorian child the best possible start in a world-class education system in which every parent, teacher and student can take pride.

The government will discontinue the Schools of the Third Millennium program. The government believes that privatisation of our state school system is incompatible with the needs of Victorian children. It is implacably opposed to the introduction of notions of privilege into state education and strongly committed to a high standard of education for all. It will cut class sizes to 21 or less for prep, year 1 and year 2 and will employ an extra 650 teachers in its first term.

The government will commit \$57 million to needy non-government schools and will put \$10 million a year into school maintenance over three years. It will also provide extra support for smaller rural schools by introducing shared specialist teacher programs.

The government will also establish a post-compulsory education task force, expand the VCE and offer students the chance to complete their education at a TAFE college. The government is committed to linking schools, TAFE institutes, employers and communities in a planned approach to post-secondary education and training.

The government believes that Victorians deserve decent health services based on need rather than capacity to pay. It recognises the size of the task ahead in restoring confidence and pride in a health system. The government honours Victoria's health workers, who have maintained a high level of commitment through difficult times, and commits itself to reciprocating their dedication with decent resources and a markedly

different approach to health service delivery. The government reaffirms its commitment to rural and regional hospitals and health care services. It will demonstrate through its programs its fundamental belief that no Victorian who falls sick should be disadvantaged by postcode or income.

As part of its first steps to restoring confidence in the Victorian health system, the government will:

- stop the privatisation process at the Austin and Repatriation Medical Centre, and other hospitals and nursing homes where privatisation contracts have not been entered into;

- review public hospital casemix funding, with particular reference to its impact on the quality of care, country hospital services and the care of patients after they leave hospital;

- reopen 290 hospital beds;

- redirect \$18 million from the health network bureaucracy to make hospitals cleaner and reduce emergency waiting times;

- increase funding for community health programs by \$37 million over four years; and

- repair the public dental program — including reducing costs to pensioners and shortening waiting lists.

The government is also committed to putting more nurses into hospitals, providing substantial funding for mental health and a hospital-to-home program which guarantees that decent health care does not end at the hospital door.

The government will help to ease the child-care burden with a subsidy to every four-year-old in a low-income family and will help community-owned child-care centres with direct grants for maintenance and equipment. In the first term, maternal and child health services will benefit from an extra \$10 million, and the government will employ an additional 100 school nurses to care for children in their junior secondary years.

The government recognises that the heartbeat of the state's economy is the people who work in it and that a safe workplace is an essential right of every employee. The government will take immediate steps to address the unacceptable levels of workplace death and injury. The government will introduce legislation to restore the right of seriously injured workers to sue at common

law. The government will also introduce a new crime of industrial manslaughter.

It is fundamental to the government's vision of a better Victoria to ensure that Victorians feel safe and secure in their own homes, streets and communities. The key objective of the state's police and emergency services is to protect the personal safety and security of all Victorians. Accordingly, the government will put 800 more police on the front line and will end the closure of police stations. It will also abolish the Police Board and Police Review Commission and establish a new, independent police appeals board to deal with matters affecting police discipline, promotion and transfer.

As part of a comprehensive plan to address the tragic problem of illicit drug use, the government will trial up to five medically supervised injecting facilities in consultation with local councils and communities. An expert committee will be established to:

- commence discussion with local councils in relation to drug injecting facilities in the areas announced by the government;

- examine the changing dimensions of the drug problem and in particular the increasing number of deaths associated with increased heroin use; and

- provide advice on the implementation of the government's drug policy.

The government recognises that education, rehabilitation and stronger policing must also be part of an effective strategy for addressing the problem of illicit drug use.

The government's environmental agenda will make Victoria a better place to live. It will build the principles of ecologically sustainable development into the process of decision making across the whole of government and strengthen environmental monitoring and reporting requirements.

The government will announce plans to negotiate with the New South Wales and federal governments to return 28 per cent of the original flow to the Snowy River. The government will also initiate a process to nominate Wilsons Promontory National Park for world heritage listing and will terminate the feasibility study for damming the Mitchell River.

The government recognises and aims to enhance Victoria's reputation as a producer of clean, green food. It will assist Victoria in gaining a greater competitive edge in export markets through a naturally Victorian

marketing campaign for food and some processed food products.

The government is committed to a civilised and properly regulated Victorian gaming industry in order to protect the Victorian community from irresponsible conduct. The government will:

- act to ensure truth in advertising in the gambling industry;

- introduce an enforceable code of conduct for gaming operators and venue owners; and

- review current problem gambling advertisements to determine their effectiveness.

The government will also act immediately to start negotiations with the Australian Football League to explore all feasible options to retain Waverley Park as an AFL venue.

Before moving to other legislation to be introduced by the government this year, it is with deep regret that I advise the Parliament of the deaths of three members of the Legislative Assembly: William Laurence (known as Larry) Floyd, member for Williamstown from 1955 to 1973; his successor, Gordon Francis Stirling, member for Williamstown from 1973 to 1988; and Frederick (known as Peter) McLellan, member for Frankston East from 1992 until September last.

In addition to the major legislative initiatives I have described, the government will also introduce a number of other bills which are necessary for the good government of Victoria:

- a bill to ensure that there are appropriate emergency powers available for the effective management of any incidents caused by the millennium bug;

- a bill to provide that certain decisions of the Federal Court and Family Court have effect as decisions of the Supreme Court, following the High Court's judgment earlier this year that vesting of state jurisdiction in federal courts is invalid;

- a bill to overcome the possible negative effects of a decision currently reserved by the High Court on jury selection practices, which, if adverse to the state, has the potential to undermine existing criminal convictions;

- a bill to authorise visiting health care professionals to provide health care services to visitors in Victoria in connection with special events such as the Sydney

Olympics without being registered under Victorian law; and

a bill to give the Melbourne Sports and Aquatic Centre Trust the legal capacity to assume responsibility for the State Netball and Hockey Centre under construction at Royal Park, in order to ensure the effective management of the facility.

Mr President and honourable members of the Legislative Council:

Mr Speaker and members of the Legislative Assembly:

The government's plans have been costed by Access Economics. They are achievable and lock in a four-year budget surplus. The government's financial management plan is the toughest in the nation. It will be overseen by an Expenditure Review Committee which is already in operation.

The government believes that proper financial management is fundamental to giving Victorians the good government they expect and deserve. The government is committed to tough financial principles that will be centred upon the restoration of the powers of the office of Auditor-General. These new powers will be enshrined in the constitution. In restoring the powers of the Auditor-General, the government sends the strongest possible signal that it will govern with openness and accountability.

The Auditor-General will report independently to the Parliament on budget day on the state of the budget surplus. Every government program will be publicly scrutinised. Victoria will therefore have the strongest independent guardian of its financial security in its history.

The government believes that the values by which strong families and strong communities live — the values of honour and openness and compassion — are the values which should be reflected in public policy. These values will be the hallmarks of this government's program of legislation and the measures against which it will be proud to be judged.

I now formally open this Parliament and pray that the guidance of almighty God may attend your deliberations.

Copies of speech handed to President and Speaker.

His Excellency and suite withdrew.

Members of Legislative Assembly retired from chamber.

Sitting suspended 3.29 p.m. until 5.00 p.m.

The PRESIDENT resumed the chair.

CONDOLENCES

Frederick Peter McLellan

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

That this house expresses its sincere sorrow at the death, on 18 September 1999, of Frederick Peter McLellan, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Frankston East from 1992 to 1999.

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

Peter entered Parliament as the elected member for Frankston East in October 1992. He will be remembered for his integrity. Peter was a straightshooter — an honest man who became an outstanding politician.

The son of Frederick and Catherine McLellan, Peter was raised in a housing estate in East Reservoir in an area known locally as Little Chicago, as I know well. Coming from Alamein Road in West Heidelberg, we met from time to time. Little Chicago was rough and tumble. As Peter recalled on a number of occasions, the residents alternated between their Little Chicago addresses and the Bluestone College at Coburg.

Peter was educated at the Holy Name Catholic Primary School in East Preston and at Taylor's College. He left school at age 15 to take up an apprenticeship in spare parts at the Rhodes motor company. He later worked as a laboratory assistant at Melbourne University before joining the army at the age of 19 in 1961.

From 1966 to 1967 Peter served as a medical orderly with two field ambulances in Malaya, Thailand and later Vietnam. After returning from Vietnam Peter met his future wife, Trish Foley, in Queensland.

At home Peter was notorious for his commentaries on the state of the world when watching the evening news. He eventually took up the challenge issued by his eldest daughter, Leanne, to do something about it and joined the Liberal Party in 1990. Peter was preselected for the seat of Frankston East in August 1991. He won the seat by the narrowest of margins, 0.2 per cent, in the 1992 election. However, in 1996 he increased that margin to 3.2 per cent.

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

Peter's outspoken opposition to the previous government on a number of issues ultimately led to his resignation from the Liberal Party on 24 July 1998. For Peter this was a matter of conscience and a decision he never regretted taking. His courageous stance garnered him a great deal of admiration and respect from fellow parliamentarians and the public at large, especially the people of Frankston East.

Peter was a supporter of the disabled and a fighter for environmental issues. He was often spoken about. Mr Frank McCrohan, president of the Vietnam Veterans Association, remembers Peter as:

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

Peter was the foundation president of the Frankston subbranch of the Vietnam Veterans Association. He was a Legatee, a Catholic and a Freemason. He was also a member of the Peninsula Pistol Club and a member of the committee of management, and was appointed delegate to the Victorian Pistol Association in 1981. Peter was the chief range officer of the Victorian Pistol Association, and a member of the Frankston Returned and Services Club and the Frankston Football Club in the former Victorian Football Association. We can attest to his keenness as a bowler at Parliament House; he was often seen bowling.

On behalf of the government, I extend condolences to the family of Peter McLellan, including his wife, Trish, son, Richard, and daughters Leanne and Maree and their families.

Hon. M. A. BIRRELL (East Yarra) — On behalf of the opposition and the Liberal and National parties, I am pleased to be able to join in this motion and pay our respects upon the tragic passing of Peter McLellan. He was by any measure a rough diamond. He was an individual. In 1992, having joined the Liberal Party in 1991, he was swept in with the election of the first

Kennett government. He made a memorable and positive contribution to public life as a result of his role in state Parliament.

Peter was elected in 1992 and re-elected in March 1996. As we all know, he tragically died on 18 September 1999 at the age of 56 years. As an individual he drew on a range of personal experiences. One of the most profound was his involvement in the Australian Army and his military service for his country.

Peter enlisted in the army in 1961. Between 1963 and 1966 he served in Malaya and Thailand and went on, as a matter of choice, to serve in Vietnam between 1966 and 1967. The camaraderie and experiences he gained from serving our nation overseas no doubt formed many of his values and his ongoing, long friendships.

Peter was educated from prep to year 8 in East Preston at Holy Name Primary School; he then went on to Taylor's College where he passed his intermediate certificate. Peter joined the Liberal Party after having a long interest in values associated with liberalism, and brought to the party the input it needed to properly represent the electorate of Frankston East.

Peter McLellan was a rough diamond. I use that term not disrespectfully but to explain the man and the style he brought to politics. Peter did not pretend that he was a person of high intellect or that he was extremely well read, but he had an understanding of ordinary people and tough circumstances, which resulted in a contribution that was both unique and valuable. I first learnt about Peter's keen involvement in the motor industry from the debates in which he participated in the Liberal Party room. Many discussions on bills and committee hearings went a lot longer as a result of Peter's practical input.

Peter was employed by the Rhodes Motor Company from 1956 to 1961 and was an RACV road service patrolman from 1969 to 1976. He was then self-employed in the motor industry doing repairs, sales and service up to the time that he became a member of Parliament.

As part of his rough-diamond nature, I should say that Peter was a former amateur boxer who brought a slightly pugnacious style to his political behaviour — he looked as if he could take a blow. He never looked like he wanted to lay a blow on you, but you often got the impression that he could handle himself if the circumstances demanded it. If one wanted to take him on, one also had to bear in mind that he was heavily involved in the Victorian Pistol Association. Peter was

the chief range officer for that association and a longstanding member of the Frankston RSL club. Of interest to many of us who attended Peter's service was the extraordinary support and respect shown to him at that service by individuals from the Vietnam Veterans Association, the Returned and Services League, the Victorian Pistol Association and a number of rifle clubs in his electorate.

Although Peter grew up in the staunch Labor area of Preston his values reflected those of the Liberal Party. He won endorsement from the Liberal Party to contest the newly formed seat of Frankston East in 1992, having joined the party only a matter of months earlier. As he said at the time, he was motivated by his distaste of the Cain and Kirner governments. Peter won Frankston East in the landslide of 1992, but he did not win his seat in a landslide. He won by the extraordinary margin of 129 votes — and he was damn proud of it. I do not think he was expecting to win, but he and the party knew he had a good chance at the time. He was proud to hold the then most marginal Liberal seat in the state.

At the 1996 election Peter showed that if one works hard in an electorate the margin can be affected. He increased his margin from 0.2 to 3.2 per cent following his tireless efforts throughout the electorate. As both Minister for Conservation and Environment in 1992–1996 and then as Minister for Industry, Science and Technology from 1996, I often visited Peter's electorate to discuss practical issues. When I was Minister for Conservation and Environment Peter was concerned about the government's plans to sell land surrounding a natural resource institute in the electorate. Peter believed some of the land should be sold for housing because there was a real need for housing in the area. He also strongly believed some of the land should be retained as a permanent nature reserve because the people of Frankston East knew the tough times but did not know much about the urban environmental pleasures enjoyed by people in other electorates. Peter fought for the land, and on his behalf I was pleased to secure it as a nature reserve.

I know that local people and history will treat him well, with his name being associated with preserving a large area of public open space in one of the most densely populated and tightly held landholdings of any Victorian electorate. His name will be associated with the permanent reservation of a public open space area for ordinary people to enjoy. It is a nature reserve, not manicured parkland. It is a beautiful area to remember him by.

Similarly, Peter was keen for me as Minister for Industry, Science and Technology to meet representatives of a number of businesses. I remember visiting with him Roma Food Products, a small business in his electorate that he thought had one helluva future. It was a small, exporting business. His observations were correct. From being a small business Roma Food Products went on to win major export awards from the British government and the Governor of Victoria. It therefore obtained recognition for the value that Peter had seen first but which took others a while to see.

Peter campaigned on a number of issues locally, none more important to him than drugs in the community. He opposed the harm minimisation approach. He did a lot of work in Parliament and many of his speeches were about drugs. He strongly supported mandatory detoxification and favoured increased rehabilitation services instead of imprisonment for drug users.

Peter was a member of the parliamentary Road Safety Committee and held strong views in that area. It should be said that far from making an academic contribution to the Road Safety Committee, he was able to talk with a high degree of experience drawn from the days when he was literally on the road in a previous job. Peter knew much more than we did about deregulating tow-truck licences and about many other topics, and brought to the party room an earthiness in the debate that helped get us off philosophy and competition policy and on to practical outcomes — and we welcomed it.

In the lead-up to his last election he was labelled as the people's pollicie. Given the work that he did, it was an appropriate title. Peter resigned from the Liberal Party for a number of reasons. I believe Peter regretted his resignation and the circumstances leading up to it, but it did not sour the personal relationship that he had with many people on both sides of the chamber. It certainly did not sour the relationship that many members of his family and his supporters had with us. Despite his resignation, Peter was respected by the Liberal Party for his commitment to his electorate and for pursuing issues of considerable importance to him. As anyone who attended Peter's service in the electorate will recall, he received an extraordinary and diverse range of community support in recognition of his contribution.

Peter is survived by his parents, Frederick and Catherine, his wife, Trish, his children Leanne, Maree and Richard, and four grandchildren. Honourable members convey their appreciation to Peter for his service to the Frankston East community. We recognise

that the family and friends of a sitting member of Parliament who died so suddenly and unexpectedly deserve our support.

Hon. R. M. HALLAM (Western) — I wish to associate the National Party with the motion of condolence, and I do so with mixed emotions. On one hand honourable members are all deeply saddened at the passing of Peter McLellan — Frederick was his baptismal name — yet on the other it is appropriate to record his passing and his service to Parliament. We rejoice in his contribution. He was elected to Parliament in 1992, and many in this chamber have reason to remember that day well — it was the day the Kennett government came to power with a landslide. Peter left this world on 18 September this year. Again, even more honourable members would have reason to remember that date because it was the date upon which government changed hands in Victoria.

Peter McLellan was a member of Parliament for only seven years. Tragically, he died a month short of his 57th birthday. He had the chance to make a mark, and he did so. Mr Birrell said Peter McLellan was a rough diamond. He was all of that. However, he was also a person who did not quite fit the bill; he was somewhat different. He came to us with a whole range of special qualities that were the product of his background. I saw details of his contribution as his country's representative with postings as a serviceman in Malaya and Taiwan, and then, by choice, in Vietnam.

I am sorry I did not get to know Peter McLellan better. After having looked at his service record I realise it explains some of the things that drove him. We had many differences in the torrid times during the debates on the Auditor-General and workers compensation which caused him great distress. On one hand I personally had reason to differ from his opinions, but on the other I can say with great conviction that I came to admire him for those convictions and for his personal commitment to the beliefs he held so dearly.

While others may have criticised his decision to relinquish his membership of the Liberal Party it was a mark of his personal commitment that saw him make a brave move in the face of severe odds.

He won the seat of Frankston East by the shortest of half heads in 1992. He converted it into a relatively safe seat against the tide in 1996. In 1999 he faced the electors as an Independent and was confident of the outcome.

Not many members who have served this Parliament for such a short period could say they have made a

mark, but Peter did. Although we had differing views on a number of individual issues, I came to know and respect him greatly for his personal commitment and passion. One could almost cut it. He had absolute conviction about the issues that were driving him. I say to the chamber, and I do so advisedly, that he had a special quality that others would do well to aspire to.

Peter McLellan died tragically and we all mourn his passing. On behalf of the National Party, I extend my heartfelt condolences to his family and his supporters. If consolation can be found in this tragic loss it is the fact that Peter made a difference, and that is how he should be remembered.

Hon. T. C. THEOPHANOUS (Jika Jika) — I support the condolence motion for Peter McLellan. As has already been noted, Peter was elected to Parliament in 1992. He soon established himself around Parliament as a person of passion and principle. Both those words have been used to describe him. They are accurate descriptions of the man. He felt passionate about many things such as social justice and the environment. He had a strong sense of justice and the need for members of Parliament to represent their constituents according to their consciences. That was the important aspect of how he saw his role in Parliament — ultimately not according to what somebody else thought but according to one's own conscience.

He understood clearly that the separation of powers is a crucial aspect of democracy. He believed in it and fought for it. In that respect, and in many others, he was very much a small-l liberal in the tradition of John Stuart Mill.

Peter was different. He did not have the background of most Liberal Party members, but that is what made him special. It has been noted that he came from a working-class background, and he wore that as a proud badge of honour. On 16 March 1993 in his inaugural speech he is recorded at page 228 of *Hansard* as having said:

I grew up in East Reservoir, down the bottom of Tyler Street, an area given the dubious title of Little Chicago, a place where a knuckle sandwich was given or received on a regular basis.

Having grown up next door in Broadmeadows I can empathise with that. One never forgets such roots and the experience of growing up in a working-class area with its daily struggles.

His empathy with workers is evident from the many things he did in Parliament. As the Leader of the Opposition said, it was evident to me from his efforts

with the Pines Forest estate and his interest in housing. Those issues were important to him. He described himself as a tradesperson. He believed tradespeople knew what it was like to battle and to work to educate and raise their families. He noted that in his first speech. He believed the unskilled and semi-skilled should be respected alongside the highly educated and stressed the need to look after young people and the over 45s. Peter will mostly be remembered for his willingness to stick up for the principles he believed in even when the odds or numbers were against him.

On 20 November 1997 in the debate on the Audit (Amendment) Bill his speech, which is recorded at page 1346 of *Hansard*, begins with the words:

I know why I came into Parliament. It was to protect democracy ...

Those words should ring true for all members. He also said:

I said right from the word go that I would always support the independence of the Office of the Auditor-General.

He stuck to his guns. In his inaugural speech Peter stated:

The process in Parliament is that as a member you put your argument. You fight your fight. If you get done, so be it — at least you have not discarded your principles or wavered in the way you have gone about it.

Peter was a man of principle, a man who unfortunately has left us at an early age. His achievements were many and varied, and I will not itemise them again, as other honourable members have done so. Peter will be very much missed in Parliament and in Frankston East by his many friends and by his family. I extend my condolences to Peter's wife, Trish, and his children Richard, Leanne and Maree.

Hon. BILL FORWOOD (Templestowe) — I support the motion of condolence on the death of Peter McLellan. I did not know Peter before he came to this place in 1992, but I took to him immediately. Over the years we became good friends. Peter and I had a number of common interests, not the least of which was sport. He was a cricketer — a bowler — and a raconteur of some note. I enjoyed his company, and a good red, on more than one occasion.

Peter McLellan was an honest and straightforward bloke; you always knew exactly where you stood with him. He was fun to be with and he had a quirky sense of humour, although it was easy to get into an argument with him. He took his life and his politics seriously. He cared about people. People were the reason he put up his hand and joined the Liberal Party; people were the

reason he stood for and was elected to Parliament. My memories of Peter include discussing on more than one occasion what people would think about this or that.

Those who have read his inaugural speech in Parliament will well recognise his words when he told the Legislative Assembly on 16 March 1993, as reported in *Hansard*:

I listened with interest to other honourable members who, in describing their electorates, referred to the rolling hills, valleys, creeks or beautiful coastal sandy beaches.

In my electorate I can refer to the Pines Forest Flora and Fauna Reserve, four golf courses and the council tip.

It was a measure of the man that he could poke fun at the self-importance of others. He was proud to have won the seat of Frankston East for the Liberal Party. One night I discussed with him the Liberal Party preselection system which, I believe, often gets it right — and it certainly got it right with Frankston East and Peter! He was a proud Liberal. I again refer to his inaugural speech and his comments about his electorate, which he knew was a working-class area:

It is an electorate described by many as one that could not be won by a Liberal. I am here as proof that the people who made those statements were dead wrong.

What really got up Peter's nostrils was the suggestion that he was a oncer; that he was here for just one term. He set about ensuring that that would not be the case. As the Leader of the Opposition said, he worked his electorate well and assiduously. He was committed to being returned. On the night of the 1996 re-election I spoke on the telephone to Peter; to put it mildly, he was happy. He had had a good night!

Hon. N. B. Lucas — Euphoric.

Hon. BILL FORWOOD — That is a good word, Mr Lucas, to describe his mood, because he was delighted to have again won the most marginal seat then held by the government and to have turned it into an almost safe seat. He had taken a razor-thin margin of 0.2 per cent and increased it to 3.2 per cent and, in his words, turned Frankston East into an almost safe Liberal seat.

I had a lot to do with Peter McLellan when the audit legislation was amended in 1997 because, as honourable members may know, I was involved with the construction of the amending bill. In that role I found myself talking to those concerned about various aspects of it. Peter had probably more concerns about the changes than most honourable members and I had probably more conversations with him than with others. I remember talking with him about the bill's details,

including the investigative powers under clause 11, the power to obtain information, and the clause 15 power to report. I pointed out that the Auditor-General was funded by Parliament and could prepare a report and use his own resources under clause 11 to take evidence on oath and that that was enough. Peter appeared to accept the argument, but then his reply would be the unanswerable statement, 'But he cannot do an audit in his own right'.

I do not think anyone else has mentioned Peter's stubbornness. On a number of occasions I went through these explanations with him and, like the Leader of the National Party, was disappointed but not surprised at his decision not to vote on that legislation. I told Peter at the time that although I was disappointed I understood and accepted his decision. The mere fact that he was able to win his seat from the Labor Party and hold a seat that people did not think he could win again was for me the defining test in the Liberal context.

I conclude with some reflections on his humanity, because Peter was a very human man. His overwhelming desire and focus was to improve the lot of people less fortunate than he. His untimely passing leaves many of us sad. I am sad now to contribute to debate on the condolence motion. I express my sincere condolences to Peter's wife, Trish, and other members of his family.

Hon. K. M. SMITH (South Eastern) — I support the condolence motion for Peter McLellan. He was a good man, a straightshooter, a man of principle and something of a loner, but his belief in helping people is what got him elected to Parliament.

I knew Peter for about 16 years when he was a motor wrecker in Mornington. I did not meet him socially, but when I met him on electorate matters, usually weekly, he impressed me as a straightshooter. I recall receiving a telephone call on election day last September when I learnt that Peter had died. I found it hard to accept his death: I could not believe that our Peter McLellan had died, because he was so young.

For seven years Peter was a true representative of the people of Frankston East. If you could have entered into a computer the attributes that an elected member of Parliament should possess, what the electors of Frankston East would expect of their representative and the 100-odd other requirements of a member of Parliament you would find Peter's name would always have surfaced because the people loved him for the way he represented them. You had only to hear the way

people spoke about him at his funeral to realise the truth.

Peter was a politician with a social conscience; they called him the people's politician. He was just that — the people were right. He was tough and was always prepared to stand up for what he believed was right.

I served on a couple of bills committees with Peter. I remember having long arguments with him about liberalising the liquor control laws. I remember our once discussing the issue in the corridor beneath Parliament House. The discussion became heated, but as at the end of any discussion, Peter shook hands. He did not bear a grudge. People would listen when he made a point because he always spoke commonsense, which is what the people of Frankston East saw in Peter.

Peter was a Vietnam War veteran who stood tall and strong on his involvement in that war. He fought for the rights of the veterans when they were badly treated by the Australian public for so many years after they returned from Vietnam. I got to know Peter particularly well through my involvement with the Vietnam veterans in San Remo, where I would often bump into him. I found it nice to talk with Peter away from this place, although he was reluctant to talk about his time in Vietnam; he, like most Vietnam veterans, kept those stories to himself. Peter was always happy to stand up and fight for the rights of others.

I pass on my sincere condolences to Trish and to his children, Leanne, Maree and Richard. May he rest in peace.

Hon. R. H. BOWDEN (South Eastern) — I support the motion of condolence for our former colleague, Frederick Peter McLellan. I got to know Peter very well because in the year or so prior to the October 1992 general election Peter and I were preselected candidates for our respective seats. Peter's seat of Frankston East borders South Eastern Province. During 1991 and 1992 Peter was operating a motor business quite close to where I was centred in Somerville, and we became very good friends.

I recall on many occasions when I dropped in to discuss issues with Peter he was always friendly and offered me a cup of tea or coffee. He would produce the paper and together we would dissect the issues of the day in the context of our electorates. I knew Peter before 1991 but I quickly came to appreciate him afterwards.

As many honourable members have said today, Peter was a straightshooter and absolutely truthful. He was forthright and candid. His views were almost invariably

respected, even by those who did not always agree with them. He took many aspects of his upbringing and his values very seriously. As a colleague working in an area close to Peter's, I know the issues that affected the Frankston council were very much associated with his responsibilities as a member of Parliament and were very close to him.

Peter understood small business very well. More than 90 per cent of all businesses in Victoria are small. Small business is of extreme importance in the Frankston area and was a major feature of Peter's background. Peter had a good understanding of the pressures and issues that affect it.

Much has already been said about his commitment to the pistol clubs and his service to Parliament on road safety issues. Peter was a person of high integrity. When you got to know him you knew he was sincere. He appreciated and understood the educational values that affected his seat. He also had strong Masonic values, which on many occasions we shared.

Peter was a gifted photographer. I do not know if any honourable members in this chamber had the opportunity of seeing some of the wonderful photographs Peter took. If they ever have that opportunity, I suggest they take it up. Some of them are superb. Peter returned from a committee visit to the Northern Territory with some absolutely wonderful photographs.

Peter was totally committed to supporting the Vietnam veterans. As all honourable members know, he was a Vietnam veteran and did a great deal to help people to understand the feelings of the Vietnam vets at a time when that was very difficult. The degree of acceptance now accorded to Vietnam veterans is one tribute among the many accorded to Peter for his work. The Returned and Services League valued Peter's membership highly. I know from many conversations that the RSL will always hold his memory in high regard. Honourable members and Parliament will also remember Peter for a long time.

I extend to Peter's parents, to Trish and the family — Leanne, Maree and Richard — my condolences for the loss of a fine bloke.

Hon. E. G. STONEY (Central Highlands) — I desire to make a short contribution to the condolence motion. I came to know Peter McLellan well when we were both appointed to the Road Safety Committee in 1993. We spoke the same language and became a bit of a team on that committee as it considered issues such as

speed limits, drugs and driving, drugs and the trucking industry, motorcycles and many other practical matters.

Much has been said about Peter's practical knowledge. His input was of great value to the committee. We became close because we had both driven trucks, handled heavy machinery and driven a lot of miles without serious incident. We mostly supported each other at the table. I use the word 'mostly' advisedly because Peter was his own man and everybody has to make a point occasionally. At times Peter made a stand. However, we mostly supported each other. It was good, because his practical input added to the deliberations of the committee.

With things mechanical Peter was the best I knew. He knew what it was like to drive from Melbourne to Brisbane non-stop, unload and then come straight back to Melbourne. He had done it many times. He could speak from experience about what it was like in the tow-truck industry. As has been mentioned, he brought perspective to things about which some of the committee members had no idea. He knew about the problems motorcyclists face when battling drivers, wet roads and road hazards. When the committee went on excursions, Peter drove the bus. He did it well, and he did it safely. Those of us who do a bit of driving know what it is like on a bus — you are always driving with the bus driver! When Peter was not driving the bus there were grumbles from the back, 'Bring back McLellan! We want McLellan!'.

Peter was a very good driver and knew what a vehicle could do. He often put vehicles to the limit, but did it well. So far as I know he never made a mistake. When the committee visited garages, who was the one under the bonnet? It was Peter McLellan. Who was the one discussing the virtues of a cracked windscreen and whether it could be seen through or replaced? It was Peter McLellan. His practical driver's perspective always added up.

I remember a battle fought about a design fault in new cars. It concerned rear-vision mirrors and a blind spot just over the driver's right shoulder which meant that motorists could not see motorcycles behind or coming up beside their vehicles. That blind spot was evident even in the most modern rear-vision mirrors. Peter and I battled that out, and the subject was dealt with in the committee's final report. The committee recommended, and manufacturers were alerted to the problem, that rear-vision mirrors be redesigned so that motorcycles are not hidden when travelling behind motorists.

That is the sort of contribution Peter made right throughout his parliamentary career. His viewpoint and

input were rare and practical. He was his own man and he was respected for being his own man. He will be missed in this place. As Mr Birrell said earlier, history will be kind to him.

Hon. B. C. BOARDMAN (Chelsea) — I feel proud and honoured to be given an opportunity to contribute to the condolence motion for my mate Peter McLellan. I knew him personally for a number of years both prior to his entering Parliament and since.

For the first 13 months of my parliamentary career I had the pleasure, and at times the interesting experience, of sharing an office with Peter. I owe a great debt of gratitude to Peter because during that time he was not only of great assistance to me in my professional capacity but he also showed me extraordinary courtesy. He also assisted my staff who were learning about the adjustments necessary to go from private to public life as well as the operations of an electorate office. It is an experience I will treasure for the rest of my parliamentary career.

I first met Peter in 1993 when I was a young constable at the Frankston police station. At that time — I suppose nothing has really changed — members of Parliament visiting police stations did not receive any additional attention or privilege, but in Peter's case it was different — because everyone in the community knew and respected him.

Once I was at the front desk when he came in probably to renew a shooters licence or for some like matter, given his keen interests. We got talking about politics and the Liberal Party. He was one of the people who encouraged me to join and become active in the party and subsequently to stand for preselection. He was very helpful and a great source of information. If someone rang his office — no matter who the person was — he would always take the call and assist by finding out any desired information.

Late in 1995 when the Honourable Graeme Weideman retired from Parliament I went to see Peter and said, 'Peter, I might throw my hat into the ring and have a go'. He asked me how old I was — at the time I was 24 — laughed, and said, 'Don't be stupid. It took me a number of years to get into Parliament. You have your life ahead of you and a lot of experiences from which to learn before you talk about it. Have another go'. When I was successfully preselected I told him we would be not only campaign mates but also parliamentary mates. I eventually won, and we forged a close bond.

In 1996 Peter achieved a remarkable swing against all the odds. Frankston East received media attention and

scrutiny because many believed it would be the first seat to fall to the Labor Party. However, it did the reverse and went against the statewide swing. I told Peter his success was only because of the quality of his running mate in the upper house. He replied that his success had nothing to do with that but was due only to his local campaign, his knowledge and the respect in which he was held throughout the electorate.

During the time I shared an office with Peter I got to know him very well. I got to know about his life and upbringing — about his being an amateur boxer and about his army career and position as an army medic in the field ambulance in Thailand, Malaya and Vietnam. I got to know that he was a motor mechanic who had worked for the Royal Automotive Club of Victoria and about his parliamentary career. He was a man of a million stories, and he loved telling every single one of them. I learnt about Peter's honesty, integrity, dedication and commitment and about his respect for and empathy with his community. Most of all I learnt that he was one of those true, decent human beings who would always call a spade a spade. Although Peter and I hardly ever saw eye to eye and often argued, discussed and debated the issues, irrespective of the result of our discussions we had a strong respect for each other's opinions.

Peter was committed to assisting in the drug problem, particularly with rehabilitation programs. He spent a considerable amount of his parliamentary time researching the Delaware program followed in the United States of America. His one goal was to somehow and at some time implement a similar program in Victoria. He was vehemently opposed to safe-injecting facilities and harm minimisation. He believed the key to success in combating the drug problem in Victoria was through education and rehabilitation.

Most of all, in Peter I saw a man who enjoyed incredible local popularity, not only among members of the Returned and Services League and Vietnam veterans but also in his local community. His popularity even extended to local Australian Labor Party branch members, who saw him as an effective and good local politician.

When Peter left the Liberal Party we had words and did not talk for a little while, although we exchanged pleasantries as usual. However, I always had a deep respect and affection for him. In his local campaign as the people's pollie he relied on two key friends: an ex-Labor Party branch president, Bill Trotter, and an ex-Labor Party voter, Fletcher Davies, who recognised his commitment and contribution to the local

community. They dedicated their time to ensuring that he had the best campaign available.

I clearly remember being told on election day, shortly after his body had been discovered, that Peter had passed away. Apart from my initial upset and distress, I found the situation difficult because I was still actively campaigning out there and people were still handing out Peter's how-to-vote cards, but because of the sensitivity of the matter I could not tell them he had passed away. I felt awkward and distressed in my difficult position.

I had always thought Peter would go away with a bang — and, boy, did he go away with a bang. His story will be told many times over. To my friend and colleague who made a great contribution to public life and had the respect of members on all sides of the house, I say goodbye. I offer my sincere condolences and sympathy to his wife, Trish, his children Leanne, Maree and Richard, his four grandchildren, his parents and sister who live in Queensland, members of the Frankston East and Victorian communities, and friends who knew and respected him.

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

ADJOURNMENT

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

That, as a further mark of respect to the memory of the late Frederick Peter McLellan the house do now adjourn until tomorrow at 10.00 a.m.

Motion agreed to.

House adjourned 5.57 p.m.

Thursday, 4 November 1999

The **PRESIDENT** (Hon. B. A. Chamberlain) took the chair at 10.04 a.m. and read the prayer.

COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS

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

MINISTRY

Hon. M. M. GOULD (Minister for Industrial Relations) (*By leave*) — I wish to advise the house of the ministerial appointments in the Legislative Council following the state election and the commissioning of the Bracks ministry. I have been appointed as Minister for Industrial Relations and have been elected as Leader of the Government in this house. I am also the Minister assisting the Minister for Workcover.

The Honourable Candy Broad has been appointed Minister for Energy and Resources and Minister for Ports. She is also the Minister assisting the Minister for State and Regional Development.

The Honourable Justin Madden has been appointed Minister for Sport and Recreation and Minister for Youth Affairs. He is also Minister assisting the Minister for Planning.

The Honourable Marsha Thomson has been appointed Minister for Small Business and Minister for Consumer Affairs.

The Honourable Gavin Jennings has been appointed Parliamentary Secretary of the Cabinet. He has also been elected to the office of Deputy Leader of the Government in the Legislative Council and will assist me in the day-to-day operations of the house in negotiating the business program.

The Honourable Theo Theophanous has been appointed Parliamentary Secretary, Education and Training. In addition, he has been assigned responsibility for assisting me and the deputy leader in arranging business of the house.

The Honourable Glenyys Romanes has been appointed Government Whip. Details regarding responsibilities of ministers in the Legislative Council for matters within the jurisdiction of ministers and colleagues in the

Legislative Assembly have been circulated to honourable members.

I note that since the last occasion this house met a number of members are no longer with us as a result of either retirement or not being re-elected. On behalf of the government I place on record its appreciation for their contributions to the house: the Honourables Louise Asher — who is in another place — Dick de Fegely, Tayfun Eren, Bill Hartigan, Caroline Hogg, Rob Knowles, Jean McLean, Don Nardella — who is also in another place — Pat Power, Barry Pullen, Rosemary Varty, Doug Walpole, Ron Wells and Sue Wilding.

OPPOSITION LEADERSHIP

Hon. M. A. BIRRELL (East Yarra) (*By leave*) — I congratulate the ministers who have taken on their new positions and in doing so offer them all the support they could expect I would give them.

It has been my honour to be elected as Leader of the Opposition in this place, with the Honourable Bill Forwood as deputy leader. The Honourable Roger Hallam is Leader of the National Party, and I particularly look forward to a cooperative relationship in the running of this house. Given our experience I believe that is well and truly achievable.

I also join the Minister for Industrial Relations in making some brief remarks about members who have departed. A number of them signalled their retirement prior to the last election. Two conducted the ultimate wrong act of leaving this house and going to another house! I commend Ms Asher on her move; as for Mr Nardella, I can say only that the Assembly deserves him

Honourable members interjecting.

Hon. M. A. BIRRELL — The Assembly will never be the same, but it will know what we had to put up with!

My former deputy, Mr Knowles — this is a view held regardless of the political persuasion of current and former members of this chamber who knew him well — will be regarded by history as one of the finest parliamentarians this Parliament saw.

Opposition Members — Hear, hear!

Hon. M. A. BIRRELL — He was an enormous contributor to the Legislative Council and a fine minister. Obviously we regret the circumstances of his

leaving Parliament, but I am sure that my views are privately echoed by people of all political persuasions when I say he made a positive contribution as an individual. As one of my colleagues indicated, Mr Knowles truly fitted the terminology of being a servant of the public.

I am pleased to be able to report briefly my deep personal appreciation of an honoured friend and great colleague. We regret his absence from the chamber enormously.

To my other colleagues who left at the last election unexpectedly — namely, the Honourables Susan Wilding and Bill Hartigan as with the others whom in a brief way we honoured in comments at the end of the last session — we welcomed their contributions. The place will certainly be different. We wish them the best in their future work.

Hon. R. M. HALLAM (Western) — I am proud today to advise the house that I now attend this place as Leader of the National Party. I am also proud to report that the Honourable Peter Hall has been appointed Deputy Leader of the National Party. It is fitting that I acknowledge the extraordinary contribution of the Honourable Bill Baxter, who served for many years as National Party leader in this chamber. For those new members who have not had the opportunity to get to know the Honourable Bill Baxter, I simply make the point that they have something to look forward to. He is respected across the house and across politics. He has established standards that I hope we can live up to. I am delighted to have the chance to put on record my thanks and gratitude to the Honourable Bill Baxter.

LABOUR AND INDUSTRY (STATUTE LAW REVISION) BILL

Introduction and first reading

Hon. M. M. GOULD (Minister for Industrial Relations) — In order to preserve the privileges of the house and in accordance with the standing orders, I move:

That I have leave to bring in a bill to make a minor amendment to the Labour and Industry Act 1958.

Motion agreed to.

Read first time.

CHAIRMAN OF COMMITTEES

Hon. R. M. HALLAM (Western) — I move:

That the Honourable Barry Wilfred Bishop be appointed Chairman of Committees of the Council.

Motion agreed to.

The PRESIDENT — Order! I congratulate the Honourable Barry Bishop. He has had a good apprenticeship. I am sure he will carry out the role in an excellent manner.

TEMPORARY CHAIRMEN OF COMMITTEES

The PRESIDENT laid on table warrant nominating Honourables Gerald Barry Ashman, Ronald Alexander Best, Kaye Darveniza, Dianne Gladys Hadden, Peter Ronald Hall, Jenny Mikakos, Robert Fredrick Smith, Eadley Graeme Stoney and Christopher Arthur Strong to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

QUESTIONS WITHOUT NOTICE

Minister for Industrial Relations

Hon. M. A. BIRRELL (East Yarra) — I direct my question to the Minister for Industrial Relations and refer to the damaging Construction, Forestry, Mining and Energy Union strike on 20 October. Before the minister rang Trades Hall Council and offered her support, did she clear that position with her Premier?

Hon. M. M. GOULD (Minister for Industrial Relations) — It is nice to know the Leader of the Opposition is interested in industrial relations issues. I have spoken to representatives of a number of unions and employers, encouraging them to negotiate and wishing them well in their business of the day. I have also made it clear that the Bracks government is keen on acting as an honest broker with employers and unions and that our policy is to act in a consultative manner and, if necessary, to encourage employers and unions to talk with each other. I have acted in accordance with our policy that — —

Hon. M. A. Birrell — On a point of order, Mr President, under the standing orders it is clear the minister is meant to answer a question in a manner that is responsive, especially in the context of the commitment the Bracks government made to the Independents to answer questions honestly and

properly. The minister is clearly not being responsive to the question, which was as follows: 'Did you clear this position with your Premier?'. The minister has not responded on that matter at all and should be asked to do so, particularly in the context of the commitment her government has given to ensuring answers are frank, full and responsive.

Hon. M. M. GOULD — On the point of order, Mr President, I am answering the question. I am stating that our position is that we would consult with unions and employers. That has been ticked off by the Premier of this state and the community of this state, because the community elected us to government.

I have the authority to speak on behalf of the government on industrial relations because this policy has been approved by the Premier. The Premier knows it is our responsibility to discuss things and implement our policy — and our policy is to negotiate and consult.

I wish employers well in their negotiations. I wish employees well in their negotiations. I wish unions well in their negotiations, as I have done in the last couple of weeks.

Hon. Bill Forwood — On the point of order, Mr President, section 2.2.a) of the Independents Charter Victoria 1999 refers to:

a requirement that ministers actually answer questions during question time.

I will read the response of the Labor Party to the charter, which states:

As Premier in the Bracks Labor government I personally commit to the following:

Instructing all ministers to answer questions directly and in a manner that does not waste the time of the Parliament.

He also promises to lead by example. It is absolutely apparent that the Leader of the Government in this place is not abiding by the rules of the charter that Labor signed.

The PRESIDENT — Order! On the point of order, the practice of the house is well settled — that is, if a question is asked, the answer must be responsive to the question. The question in this case was whether, before talking to the Trades Hall Council regarding certain industrial matters, the Minister for Industrial Relations spoke to the Premier. The minister in her response said that she would consult with a number of people. She has spoken to both employee and employer representatives. She did not address the final point.

In the past ministers have never been directed on how they should answer questions so long as the answer is responsive. It has never been insisted they answer every element of a question.

Hon. M. A. Birrell — They offered to.

The PRESIDENT — Order! The charter is not a document that covers the operation of this chamber.

Hon. M. A. Birrell — We are waiting to see whether you will follow it.

The PRESIDENT — Order! Mr Birrell has made his point. The position is that if a sessional order changes the longstanding practice, so be it. As I understand it, the charter is an agreement between the government and a group of individuals in the Legislative Assembly. How members of this house deal with that is a matter for this house. It is legitimate to refer to it — I am not saying that is not legitimate — but it cannot be used to change the practice. I cannot force the minister to answer each and every element of the question. How ministers respond is in their hands.

Honourable members interjecting.

The PRESIDENT — Order! Further discussion cannot continue unless another point is raised.

Hon. M. M. GOULD — I wish to continue my answer.

The PRESIDENT — Go ahead.

Hon. M. M. GOULD — As Minister for Industrial Relations I have a policy that was ticked off by —

Opposition members interjecting.

Hon. M. M. GOULD — The government's policy is to consult with both employers and unions, and I will continue to do so.

Honourable members interjecting.

The PRESIDENT — Order! As this is the first question time for the session I appreciate that there will be some jocularly, but the house will move on to the next question.

Industrial relations: manufacturing industry

Hon. R. F. SMITH (Chelsea) — Will the Minister for Industrial Relations inform the house of the government's plans to better ensure harmony in Victoria's manufacturing industry?

Hon. M. M. GOULD (Minister for Industrial Relations) — I thank the honourable member for his question and keen interest in the manufacturing industry. The Bracks government has a key policy to discuss and consult with employer groups and unions to encourage them to negotiate an equitable outcome for any award matters or wage claims that may be made. Unlike the previous government, the Bracks government will act as an honest broker and will assist in achieving an equitable outcome. The previous government left 700 000 — —

Opposition members interjecting.

The PRESIDENT — Order! The house has never allowed a constant barrage of interjections from any side which is intended to drown out an answer or a speech by an honourable member, and I will not allow it. I ask honourable members to desist and allow the minister to respond. If honourable members wish to ask further questions or raise points of order, they may do so.

Hon. M. M. GOULD — The Bracks government will ensure that Victorian workers are well looked after, unlike the previous government which left 700 000 Victorian workers without any protection. Those 700 000 workers have nothing more than four weeks annual leave and five days sick leave. Opposition members do not care about them, but the Bracks Labor government does. It will ensure harmony in the manufacturing industry by establishing a consultative committee and not an arbitrary committee, as the former government did. The government will consult and assist manufacturing industry to reach an agreement with employers and unions to ensure there is a fair and equitable outcome for all and that job growth and employment opportunities continue in Victoria.

Minister for Industrial Relations

Hon. M. A. BIRRELL (East Yarra) — I refer the Minister for Industrial Relations to the statement by Brian Boyd that:

We received a phone call from Monica Gould on behalf of Steve Bracks 20 minutes ago wishing us well ...

He was talking about the strike mentioned in the first question. I ask the minister: if she said she was ringing on behalf of Steve Bracks but had not consulted Steve Bracks about the call, was she telling Brian Boyd the truth?

Hon. M. M. GOULD (Minister for Industrial Relations) — The Leader of the Opposition refers to an article in the *Herald Sun* of 21 October which states

that I had offered to assist in negotiations with employers. Brian Boyd is quoted as saying:

...that while a Labor government would not automatically support union action, it would not stonewall the movement like the former Kennett government.

As I have already said, I rang the unions and offered to assist them and the employers if there were difficulties in their negotiations, as it states in the article.

Opposition members interjecting.

Disabled Children's Foundation

Hon. JENNY MIKAKOS (Jika Jika) — Will the Minister for Consumer Affairs advise the house what action her department has taken about the activities of the Disabled Children's Foundation?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I am sure shonky fundraising activities concern all honourable members. The issue has been raised on *A Current Affair*; it has created more media interest; and my office has received some phone calls about it. The man who runs the Disabled Children's Foundation, William Murnane, was charged last week with two counts of running an appeal without consent, which attracts a penalty of 12 months imprisonment or \$12 000; not providing information requested, which also attracts a penalty of 12 months imprisonment or \$12 000; and a procedural offence of not notifying address changes. Mr Murnane has set up some fundraising funds — —

The PRESIDENT — Order! Is this a matter where charges have been laid against an individual?

Hon. M. R. THOMSON — Yes, it is

The PRESIDENT — Order! Have they been heard by the court?

Hon. M. R. THOMSON — No, they have not.

Opposition members interjecting.

The PRESIDENT — Order! The sub judice rules of the house were explained at the information workshop for new members. They preclude actions where criminal charges have been laid from being debated by or referred to by the house. They may be referred to after the case has concluded but may not be referred to on this occasion. The minister may wish to rephrase her answer.

Hon. M. R. THOMSON — Thank you, Mr President, I will. Members of the community have

expressed concern about fundraising by organisations that allege to be raising money on behalf of certain funds when the money is not seen to be received by or to benefit those for whom the funds are being raised. My department will be following up those funds to ensure that when people donate to charity fundraising organisations they can be sure that the donations will go to the appropriate causes.

Minister for Industrial Relations

Hon. M. A. BIRRELL (East Yarra) — I refer the Minister for Industrial Relations to her previous evasive answers and I ask: is it not a fact that the minister's phone call to the Trades Hall Council was not made on behalf of the Premier, as she alleges, and that she did not consult the Premier before offering her government's support to the unions?

Hon. M. M. GOULD (Minister for Industrial Relations) — I have already responded to the Leader of the Opposition's question. As I previously said, I implemented the policy on which the government was elected. The government is prepared to assist employers and employees with their negotiations.

Oil spills

Hon. E. C. CARBINES (Geelong) — Will the Minister for Ports inform the house of Victoria's oil spill preparedness?

Hon. C. C. BROAD (Minister for Ports) — I thank the honourable member for her interest in this important issue. I preface my answer by saying that as a minister in the Bracks Labor government I have frequent discussions with the Premier on a whole range of matters.

Honourable members interjecting.

Hon. C. C. BROAD — Those are matters between the minister and the Premier. I suggest that opposition members not waste their breath asking for details of those discussions.

Honourable members interjecting.

Hon. N. B. Lucas — On a point of order, Mr President, question time is for the asking of questions and the answering of those questions by ministers. The house has just heard a public announcement by the minister that has nothing to do with the question asked. You should rule that the minister should answer the question rather than delivering a homily before doing so.

The PRESIDENT — Order! The minister has not finished her answer. I will allow her to complete it.

Hon. C. C. BROAD — I now turn to the question.

Hon. M. A. Birrell — You might do it earlier next time!

Honourable members interjecting.

Hon. C. C. BROAD — All in good time. The Marine Board of Victoria is responsible for ensuring an effective response to oil pollution incidents. As some honourable members opposite would be aware, that involves the development of a review of the coordination and administration of the Victorian marine pollution contingency plan known as Vicplan. The purpose of Vicplan is to ensure that Victoria has appropriate measures in place to minimise the impact to the environment of marine pollution incidents in state waters. That has caused problems in other states recently and for that reason it has been the subject of review in Victoria to ensure that the state is prepared.

The plan provides administrative arrangements and assigns responsibilities to the many organisations, and most importantly the main port operators, involved in organising a substantial response to oil spills. The plan is integrated with the national plan, which is the responsibility of the Australian Maritime Safety Authority. The national plan provides support for and access to all government machinery matters required to ensure an effective response. A state exercise is imminent and it is important that it be treated as genuine. I shall be pleased to report to the house in due course. However, for the time being it is important that the exercise is conducted.

Hon. G. R. Craige — What date is the exercise?

Hon. C. C. BROAD — I believe the previous Minister for Roads and Ports in the former Kennett government would be well aware that it is important that the exercise is conducted.

Hon. G. R. Craige — I want to know the date of the exercise.

Hon. C. C. BROAD — That would undermine the exercise. I am sure the former minister would not want to jeopardise it. I shall respond in due course.

The PRESIDENT — Order! I remind honourable members that all remarks should be directed through the Chair.

Hon. M. A. Birrell — Ministers!

The PRESIDENT — No, all honourable members should direct their remarks through the Chair.

Hon. C. C. BROAD — I shall respond to the matter in due course. I am advised that it would be inappropriate to announce the date of the exercise today. In conclusion, the Marine Board of Victoria is currently re-establishing its incident control centre after a request from the Docklands Authority that it be relocated.

Waverley Park

Hon. R. M. HALLAM (Western) — I direct my question to the Minister for Sport and Recreation and congratulate him on his position. Given that the minister is on the public record as saying that compulsory acquisition of Waverley Park is an option he favours, will he explain why the Premier has now ruled it out?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I should like to know where my comment that compulsory acquisition was to take place was recorded. I do not believe I said that.

The PRESIDENT — Order! The response in that case would be to challenge the supposition in the question; in other words, say to the house that you made no such — —

Honourable members interjecting.

The PRESIDENT — Order! Ministers are answering questions for the first time. As part of their introduction to the house it is not unreasonable that I advise that one of the options is to deny the basis on which a question is asked. That option is open to the minister.

Hon. J. M. MADDEN — The policy on Waverley Park is straightforward. It has been declared publicly on a number of occasions and is part of the government's policy document. The policy is to encourage the retention of Waverley Park so that fair and equal access is given to all members of the public to enjoy sports, such as football, and the venue should be retained. The government should like to retain the venue and encourage the stakeholders rather than allowing it to be demolished, as was the case with the former government.

Lawn bowls

Hon. G. D. ROMANES (Melbourne) — Will the Minister for Sport and Recreation outline what the

government intends to do to develop the sport of lawn bowls?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am certain that some retired members of the former government will appreciate the government's interest in lawn bowls! Huge numbers of participants are involved in lawn bowls and the Labor government is committed to establishing a world-class international lawn bowls centre in the eastern suburbs.

Honourable members interjecting.

Hon. J. M. MADDEN — The Commonwealth Games committee — —

The PRESIDENT — Order! I ask members of the opposition to desist and allow the minister to answer.

Hon. J. M. MADDEN — If the house will allow me to answer the question — —

Hon. M. A. Birrell — We apologise for behaving like an opposition.

Hon. J. M. MADDEN — The Commonwealth Games organising committee has conducted a feasibility study and has short-listed a number of possible developments as part of the government's program of major events and in consideration of the infrastructure required for the 2006 Commonwealth Games. As the review of that short list is conducted, consultation with the relevant stakeholders will be carried out.

Sport: major event funding

Hon. P. R. HALL (Gippsland) — I congratulate the Minister for Sport and Recreation on his rapid rise to the front bench, and I refer him to his government's announced review of Melbourne's major sporting events. Will he name just one event that is of sufficient concern to him to warrant such a review?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I clarify the fact that the terminology used was not to review the events but to review the financial commitments of the former government to those events. The government will ensure all those events are viable, able to be maintained and of such significance that they should be retained for all Victorians.

GST: small business

Hon. KAYE DARVENIZA (Melbourne West) — Will the Minister for Small Business inform the house

of the difficulties Victorian small businesses face in complying with the goods and services tax?

Hon. M. R. THOMSON (Minister for Small Business) — Recently I attended the small business ministers council in Darwin when the federal Minister for Industrial Relations, Mr Peter Reith, addressed that forum.

Hon. Andrew Brideson — Snout in the trough already, in Darwin?

Hon. M. R. THOMSON — No, I went there to represent small business — which is something you didn't do!

Allow me to outline what would be directly sent to small businesses to help them comply with the goods and services tax (GST) requirements: \$320 million is to be spread among 1 million small businesses — that is, \$320 per small business. I consider that amount inadequate because at least two reports indicate that it will cost between \$8000 and \$10 000 — in one instance about \$7000 — for each business to comply with the GST requirements. In no way is that amount adequate to assist small businesses to comply with the demands placed on them by 1 July next.

Honourable members interjecting.

Hon. M. R. THOMSON — Do you want to know where I got the information? You don't like the facts to get in the way of a good story. Another way federal minister Reith intends to help small business is through advertising for expressions of interest to supply goods and services to assist with the implementation of the GST. Apparently the advertisements were to have appeared in last Saturday's *Age*, *Herald Sun* and *Australian Financial Review* and in 11 regional newspapers. Staff of my office read all those newspapers but could not find the advertisements.

Honourable members interjecting.

Hon. M. R. THOMSON — The federal government aims to have the suppliers provide discounted assistance to small business. The Bracks Labor government will continue to defend small business in the implementation stages of the GST and will monitor how small business fares after the GST has been introduced.

BUSINESS OF THE HOUSE

Orders of the day

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

That during the present session an order of the day, general business, for the consideration of a ministerial statement or a paper tabled either —

- (a) by command of His Excellency the Governor;
- (b) pursuant to an order of the house; or
- (c) pursuant to statute —

shall be discharged from the notice paper without further proceeding after having been listed for five consecutive sittings days, unless a 'take note' motion has intervened and is pending resolution.

Motion agreed to.

Proclamations fixing operative dates

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

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

Motion agreed to.

Temporary relief in chair

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

That in the case of any absence of the Deputy President during the present session, the President be authorised to call upon any of the Temporary Chairmen of Committees to temporarily relieve him in the chair and that, during any absence of the President, the Deputy President be similarly authorised to call upon any of the Temporary Chairmen.

Motion agreed to.

Privilege

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

That until the end of the session, standing orders nos 85, 94 and 126 be suspended in so far as they relate to the raising of matters of privilege, and that the procedure to be followed in raising matters of privilege shall be as follows:

Upon any matter of privilege arising —

- (a) a member shall, unless circumstances prevent, give written notice of the alleged breach of privilege or

contempt to the President as soon as reasonably practicable after the matter has come to attention;

- (b) if the matter arises from a statement published in a newspaper, book or other publication, the member shall provide the President with a copy of that newspaper, book or publication;
- (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;
- (d) if in the opinion of the President the matter merits precedence, he will inform the house of his decision, and the member who raised the matter may forthwith move a motion without notice in relation to the matter;
- (e) if in the opinion of the President the matter does not merit precedence, he will inform the member in writing accordingly, and may also inform the house of his decision; and
- (f) a decision by the President not to allow precedence shall not prevent a member from proceeding with the matter by motion after notice.

Motion agreed to.

Broadcasting and televising of proceedings

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

That this house authorises, during the present session, the broadcasting and rebroadcasting on radio and television stations of recorded excerpts of proceedings in the Legislative Council, subject to the following conditions:

- (a) audio excerpts of proceedings may be taken for the above purposes only;
- (b) television video or film of a particular proceeding may be taken provided the President, after consultation with the party leaders, has so approved;
- (c) audio excerpts shall be recorded from the signal transmitted by the house monitoring system only by representatives of accredited media organisations. No alteration to the sound relay equipment is to be undertaken unless approved by the President;
- (d) excerpts are not to be used for the purposes of satire or ridicule;
- (e) excerpts shall not be used for the purpose of political party advertising or in election campaigns;
- (f) fairness in reporting with reasonable balance between both sides of the house is to be achieved by avoiding undue concentration on any one member;
- (g) excerpts must be placed in context. Commentators should identify members at least by name;
- (h) media personnel are required to obey any instruction given either generally or in a particular case by the President or through him by the Clerk of the Legislative

Council, the Usher of the Black Rod or the Housekeeper;

- (i) any breach of these conditions may result in the immediate suspension of the privileges by the President.

Motion agreed to.

Right of reply

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

That, during the present session —

- (a) a person who has been referred to in the Legislative Council by name, or in such a way as to be readily identified, may make a submission in writing to the President —
 - (i) claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that his or her privacy has been unreasonably invaded by reason of that reference; and
 - (ii) requesting that he or she be permitted to incorporate an appropriate response in the parliamentary record.
- (b) If, upon considering a submission under this order, the President is satisfied that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character he may determine —
 - (i) that no further action be taken in relation to the submission; or
 - (ii) that a response by the person who made the submission be published by the Council and incorporated in *Hansard* —

and shall inform the house of his decision.
- (c) In considering a submission under this order the President —
 - (i) may confer with the person who made the submission;
 - (ii) must give notice of the submission in writing to the member who referred in the Council to that person and then consult with the member prior to any response being presented to the Council; and
 - (iii) shall not consider or judge the truth of any statements made in the Council or the submission.
- (d) A response presented to the Council —
 - (i) shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
 - (ii) shall not contain any matter the publication of which would have the effect of —

- (1) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (a); or
- (2) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.

Motion agreed to.

Sessional orders

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

That unless otherwise ordered by the house, in each week of the present session —

- (a) the days and hours of meeting of the Council shall be Tuesday at 2.30 p.m., Wednesday at 10.00 a.m. and Thursday at 10.00 a.m.;
- (b) the transaction of government business shall take precedence of all other business, except business governed by standing orders nos 20A, 68A and 86, on Tuesday and Thursday, and at 2.00 p.m. on Wednesday;
- (c) the transaction of general business shall take precedence of all other business on Wednesday until 2.00 p.m.;
- (d) no new business shall be taken after 10.00 p.m.;
- (e) the time appointed for the asking of questions without notice and the giving of answers to questions on notice shall be 2.30 p.m. each day; and
- (f) the provisions of this resolution, so far as they are inconsistent with the standing orders and practice of the house, shall have effect notwithstanding anything contained in those standing orders.

The proposed sessional orders concerning the program for the house are similar to those adopted in the two previous parliaments by the then government, now the opposition. No debate occurred when the motions were moved nor were the sessional orders amended in 1996.

In the previous Parliament the business of the house was always subject to agreement through party discussions and was usually achieved amicably by the then government and opposition. The sessional orders have allowed for extensive debate on bills.

As most honourable members know, the custom and practice of the house is that this house has never had debate guillotined — and the sessional orders do not imply that that will happen — because both sides of the house have always conducted open discussions about the program; I recall debate on one bill lasted for nearly 24 hours. There is no question that the proposed sessional orders, including those dealing with the house's commencing and adjournment times, will

diminish in any way, shape or form the way in which the house has openly discussed and arranged its business.

The Bracks Labor government has commenced with the promise of an open, accountable and transparent Parliament. It could never be said that this chamber has ever been questioned on its openness, transparency or ability to debate issues and reach agreement regarding time. For well over a century the house has been open to that process.

The proposed sessional orders are based on the views of the former government. When I was in opposition I found that that the sessional orders allowed the house to work cooperatively and to reach reasonable outcomes about the legislative programs put forward by the then government.

My discussions with the opposition about sessional orders were on the basis that the government wanted to negotiate, consult and come to some resolution on the issue. Without wishing to pre-empt the opposition, I understand it wants to put three amendments to the house. The government has no problem with one of those amendments. However, I cannot understand — and the opposition is well aware of this — why the opposition proposes to change the commencement time for questions without notice. In the past, when general business was debated on Wednesdays, more often than not the then opposition was given the opportunity to extend the debate from 2.00 p.m. until 2.30 p.m., which provided it with the opportunity to finish the debate and for the minister to reply if he or she chose to do so. Holding question time at 2.30 p.m. ensures transparency because it allows members of the public to see what happens during question time in both the Legislative Assembly and this house.

I am sure the opposition would like to have members of the media around. I would have liked them to have been around for today's question time. However, if question time in the Council occurs at the same time as it does in the Assembly, the public and the media will not be able to see question time in both houses.

I cannot see how the opposition could have any problem with the sessional orders that it adopted when in government and that this government is now proposing. The opposition cannot dispute the fact that during the previous Parliament this chamber was open, transparent and allowed for extensive debate on bills. This chamber never experienced the problems of the other house in dealing with issues of time. The sessional orders allow 20 minutes for question time, and the custom has been for both sides of the house to

ask five questions. Honourable members know what happens in the other place, but we are not dealing with the other place. We are dealing with this place and there is sufficient time to provide the accountability and flexibility required to fulfil the mandate given to the government by the people of Victoria.

Honourable members will appreciate that many changes will occur in the lower house as a result of what has transpired there. One change will be to provide time for members to ask a particular number of questions so that there can be proper scrutiny of government.

The proposed sessional orders are those adopted by the previous Parliament, and they allow for proper scrutiny of the government and transparency of the business of the house. They do not reduce in any way the promises on which the government was elected. I urge all honourable members to support the sessional orders as outlined.

Hon. M. A. BIRRELL (East Yarra) — On behalf of the opposition I propose to move the following amendments:

1. In paragraph (a), omit '2.30 p.m.' and insert '2.00 p.m.'.
2. In paragraph (b), omit 'and Thursday, and at 2.00 p.m. on Wednesday' and insert ', from 2.00 p.m. on Wednesday and from 10.30 a.m. on Thursday'.
3. Insert the following paragraph to follow paragraph (c):
'() debate on motions to take note of reports which have been tabled in the House during the Session shall take precedence of all other business on Thursday until 10.30 a.m.;
4. In paragraph (d), omit '10.00 p.m.' and insert '8.00 p.m.'.
5. In paragraph (e), omit '2.30 p.m.' and insert '2.00 p.m.'.

I understand from the speech of the Leader of the Government that the government accepts amendment 4. The other four amendments are relatively modest but will meet the need for an evolution of the sessional orders over time.

Broadly, the amendments are made in the context that the upper house runs differently from the lower house. I appreciate the minister's comments about how well this place runs and that there has always been time for debate. As I recall, only one gag motion has been moved in the history of the house. I remember one being moved by Mr Landeryou in the heated debates of the 1980s, but otherwise no time limits have been imposed on members' speeches.

One of the ironies of that is that members make shorter speeches whereas in the Assembly where there is a time limit everyone keeps talking until the clock has ticked over the allotted time. The upper house runs on a cooperative basis and has done so regardless of the numbers in the chamber. I cannot recall a significant dispute about the running of the house in all the time I have been here since 1983. There are plenty of hot occasions but they are not usually about how the house is controlled.

The opposition amendments seek to make minor changes. Amendment 1 is that question time in both houses be held at 2.00 p.m. I am not a religious advocate on that issue but I believe it is appropriate. I do not believe any timing issue is ever perfect but one thing the Liberal Party has learnt over recent years is that the general impression is that question time in Parliament is at 2 o'clock and members of the media gear themselves around it. Therefore, the opposition believes it is logical to have question time simultaneously in both houses.

Amendments 1 and 2 relate to the same topic. If question time is at 2 o'clock in the afternoon then the sitting for the week should start at 2 o'clock rather than 2.30 p.m., providing an extra half-hour of business, which I would have thought was in the government's interests.

Amendment 3 takes up an important reform recommended by the Public Accounts and Estimates Committee which dealt with and on a unanimous all-party basis recommended to Parliament that the upper house should deal with annual reports tabled in Parliament. They are received every day but I cannot recall an occasion when any of those annual reports have been debated in that form. It is logical for the house to allow half an hour on Thursdays — when it sits on Thursdays, and it will not be every Thursday — for honourable members to raise matters relating to annual reports, if they wish to do so. I understand that during discussion between my deputy and the Minister for Industrial Relations a query was raised about which annual reports should be covered by the sessional order. I am happy to describe them as annual reports tabled during the session. I might take some guidance from the Clerk as to the best way of wording that, but it is not meant to be all annual reports ever tabled in this house. The amendment states 'during the session'.

Amendment 3 is an improvement on yesterday's draft and contains the words 'during the session', which should be sufficient. It restricts debate on motions to take note of reports to reports tabled during the session and therefore does not include all annual reports.

Amendment 4 deals with government business, and I think it is agreed between the parties. Amendment 5, which proposes to omit 2.30 p.m. and insert 2.00 p.m., is consistent with amendments 1 and 2 dealing with the starting time for the day. Its adoption would mean that on Tuesdays the Legislative Council would commence sitting at the same time as the Legislative Assembly, at 2.00 p.m. That is logical.

The amendments would not make sweeping changes to the proposed sessional orders, and the opposition has no wish to codify the behaviour of the house in the way adopted by the Legislative Assembly. Members on this side believe that generally there will be useful, practical cooperation between the parties to ensure the smooth flow of business and that members get a fair hearing during debates.

On behalf of the Liberal and National parties I make it clear that we wish to have the house function properly and look forward to the matters on the government agenda coming up in this place so they can be properly and professionally heard and debated. Most importantly, matters should not be dealt with only by deals being made between the executive and the opposition leadership; honourable members should feel free to express their views on individual matters using the amount of time that reasonably suits them. Therefore, the affairs of the chamber should be organised so that backbench members on each side have accorded to them the rights their electors would expect. I believe the sessional orders, and most importantly the standing orders, achieve that end.

Hon. T. C. THEOPHANOUS (Jika Jika) — I shall speak on the motion and Mr Birrell's proposed amendments. I make it clear that the motion moved by the Leader of the Government is for the same procedure to apply that applied in this place under the previous government and resulted from a motion by the previous government.

What is happening can be summed up in two words — double standards. One set of rules applies when the members opposite are on this side of the chamber and a different set applies when they are on the other side of the chamber and they are prepared to use their numbers to enforce that set of rules.

In 1992 the Leader of the Opposition, who was then the newly appointed Leader of the Government, said in this house:

Within the realms of party politics there has been a tradition of trying to run this house on the basis of cooperation, and we seek to continue that. We do not seek in any way to use our numbers arbitrarily to deprive the opposition of rights ...

That is precisely what the opposition is doing at the moment. It is using its numbers arbitrarily, without consultation and in a way that clearly displays double standards. I will outline how. The previous government deliberately set question time at 2.30 p.m. Why? It was a deliberate action — —

Hon. R. A. Best interjected.

Hon. T. C. THEOPHANOUS — It might have been for you, Mr Best. It was not to have a long lunch: it was so its runners could run from the other chamber to this and tell members on this side of the house how ministers had answered questions in the other place. That is why it deliberately set question time half an hour after question time in the other chamber. Honourable members on that side now pretend it was some kind of neutral act on their part to improve the functioning of the place.

The Leader of the Opposition said he was concerned the media thought question time was 2.00 p.m. The whole time the opposition was in government it was not concerned whether the media thought question time was 2 o'clock — or it would have changed it. This is an issue of concern. While in opposition, members on this side not only had such a set of rules applied to them but also had the circumstance, of which you are well aware, Mr President, of the then government's being so interested in the media that it had agreed to members of the media being located in the top part of the gallery so they could not observe the full functioning of the house, particularly the opposition.

In opposition Labor raised the matter a number of times with you, Mr President, and also tried to get some sense from the then government on the issue. It was not prepared to budge. However, the first thing that has happened is that somehow magically the media has been relocated to a prominent position — not that there are too many of them here. That is how much the members of the media think of the new opposition. It is certainly not a reflection on the government — it is a reflection on the opposition.

The amendments are about standards. The rules that applied under the previous government ought also to apply under the current government. To change them is not only arbitrary, it is inappropriate.

The Deputy Leader of the Opposition referred to the report of the Public Accounts and Estimates Committee on annual reporting in the Victorian public sector. A number of recommendations were adopted by the committee in full. At page 64 the report states:

In 1998, 534 annual reports were tabled in the Parliament. As parliamentary scrutiny of the operations of government agencies is an essential link in the accountability chain, the committee believes that there would be substantial benefits if provision was made in the parliamentary timetable, perhaps during general business, for the Legislative Council to allocate 30 minutes each second sitting week for the consideration of annual reports.

That is not the recommendation of the opposition; it is suggesting that it not be during general business.

Instead, another time is being proposed for the consideration of annual reports. It is interesting because, firstly, the opposition effectively proposes forgoing an extra half an hour during which it could debate opposition business. Members of the opposition are apparently so interested in debating matters of public importance that they are prepared to give up half an hour of general business time by proposing that question time be at 2 o'clock.

Hon. P. R. Hall — Do you agree with that?

Hon. T. C. THEOPHANOUS — The opposition is happy to forgo half an hour of the time available to debate the issues of the day. The new opposition claims to be interested in making the government accountable and so on, but forgoing half an hour of opposition business time is not exactly a good start.

If the recommendation of the Public Accounts and Estimates Committee were implemented, that half hour could be used every second week for the purposes the opposition is suggesting. Not only that, recommendation 5.9 in the committee's May 1999 report, which also relates to this matter, says:

The Standing Orders Committee of the Legislative Council consider what procedures are required to enable the Council to allocate time to the scrutiny of annual reports.

The Leader of the Opposition talked about a consultative approach. He said the opposition is not here to ram things through because it has the numbers but to do the right thing. The committee has recommended that the matter be considered by the Standing Orders Committee and that a recommendation on how it ought to apply be brought back to the house. Instead the opposition has moved a motion on which it will not negotiate. It will not refer the matter to the Standing Orders Committee, as recommended by the Public Accounts and Estimates Committee, but will simply use its numbers to pass the motion, no matter whether or not anyone agrees with it.

It is not as though the opposition has a good track record in scrutinising annual reports. Time and time again when in government the opposition tabled annual

reports on the last or second-last day of a sitting so they could not be debated or examined by the house.

When one considers what happened over the two 1998–99 sessions of Parliament one sees that, of 110 reports, 51 were tabled in the Legislative Council and 59 in the Legislative Assembly. Of those reports, 18 were tabled in the last sitting week of the Legislative Council and 21 were tabled in the last sitting week of the Legislative Assembly.

Hon. P. R. Hall — Is that the government's fault?

Hon. T. C. THEOPHANOUS — You might have forgotten, Mr Hall — and it is probably just as well — that the opposition was in government at that time. Here we have an extraordinary set of double standards and hypocrisy. When members of the opposition were in government they did the exact opposite of what they are suggesting is the motive behind their proposed amendments to the sessional orders. Annual and other reports were tabled in Parliament during the last sitting week of a session, with no opportunity for debating any aspect of them, yet at the first opportunity members of the opposition pretend they want to debate annual reports. What an absolute joke!

It would have been more honest if members of the opposition had said they wanted a second opposition business time and half an hour every Thursday to bring up issues. The proposed amendments are a backdoor method of achieving that. On 27 October 1992, during the last debate on such issues, the Leader of the Opposition said:

The government is seeking to ensure that the opposition is guaranteed a period of business each week. The convention of the past 10 years is that the government commands business on Tuesdays, Thursdays and Fridays, should there be sittings on Fridays, and the opposition has had a period of business time each Wednesday.

The Leader of the Opposition was attempting to corral general business to Wednesdays only. He said that was the only day for debating general business.

The proposed amendments are simply an attempt by the opposition to get another go on Thursdays. The government has no problem with debating issues or annual reports with the opposition. However, the government wants to see a bit of honesty instead of the duplicity and double standards that are coming from the opposition side. The government would have liked some members of the opposition to have stood up back then for accountability in government. Unfortunately, members of the opposition did not do so — and that is why they are out of government.

Hon. BILL FORWOOD (Templestowe) — That was an extraordinary contribution from my friend Mr Theophanous.

Honourable members interjecting.

Hon. BILL FORWOOD — It is extraordinary that Mr Theophanous can twist such a simple evolution of the practices of this place. The Leader of the Opposition made it clear that the opposition intends the chamber to operate as it has always has — that is, on the basis of cooperation, discussion and consultation, enabling the business of the house to flow smoothly and logically. That is what the proposed amendments are about. They are modest and minor, whatever way one looks at them.

May states clearly that either house is free to modify its own procedure by its independent action. If members of the opposition had wanted to behave arbitrarily, we might have decided to add to the sessional orders the Labor Party's response to the Independents charter — for example, that ministers ought to answer questions accurately, faithfully and truthfully. There are all sorts of routes one could take if one wished to codify the sessional orders as they have been in other chambers. That is not the intent of the proposed amendments and it is not the way the house operates, so the opposition is not proposing that sort of detail.

The proposed amendments are not an arbitrary deprivation of rights — or whatever expression Mr Theophanous used. The proposals are just a minor evolution of the practice of the house.

I shall touch briefly on the third amendment which exercised Mr Theophanous's mind so much and which deals with the taking note of reports. The reason the Public Accounts and Estimates Committee established an inquiry into annual reporting — it appointed Mr Lucas as its chair — and the reason that it agreed in a bipartisan way on the numerous recommendations was the desire to see far more scrutiny of the annual reporting process.

The opposition's proposal is that the house put aside half an hour of business on Thursdays when it meets to consider reports. It does not propose to codify it in any sense, so that on Wednesday mornings any member can move that the house take note of a particular report. It may be an annual report, a parliamentary committee report or, for example, a response to a report by the Minister for Finance. That would enable far greater opportunity for all honourable members, not just the leaders and the ministers, to be involved in the scrutiny of the government of the day. Government members could do it, too. This is not just about opposition

business, but about enabling honourable members to have the opportunity to scrutinise the reports that are tabled in the chamber.

The amendment represents a minor, mild and positive addition. I suggest that rather than just concentrating on the one recommendation that Mr Theophanous quoted, honourable members go to the report on annual reporting and read chapter 5, which is about the parliamentary review of reports. The preface to chapter 5 of the committee's report states:

If the Parliament does not accept greater responsibilities, the elaboration of checking and accountability devices and institutions at the administrative level will be effective on much the same basis as at present — that all those official actions which politicians do not control are kept reasonable only by a sort of honour system.

That is saying we need to formalise the opportunity for the house to examine tabled reports.

Mr Theophanous referred to recommendation 5.9 and suggested the amendment is a backdoor approach. I considered just picking up the wording of the recommendation and putting it in the amendment — it was possible for me to do that — but I thought it was important, symbolically, that we put up front the fact that one house of Parliament has set aside a specified and regular time, Thursday morning just for half an hour, to debate the reports that come before it.

As I said, any honourable member can raise the issue of reports. I hope the system will work by agreement between the government and the opposition; that there can be a short 5-minute contribution and a brief debate backwards and forwards. The opposition is not looking for the opportunity for one person to stand up and hog the whole half-hour period.

I believe the system will work well. If it does not, as I have already said, it is within the capacity of the house to change the sessional orders during the time available for consideration of general business if it so wishes. I absolutely reject Mr Theophanous's claims about double standards. This is just a minor evolution in the way the house does its business and I wholeheartedly support the amendments proposed by the Leader of the Opposition.

The PRESIDENT — Order! The house will deal with the amendments one by one.

Hon. M. A. BIRRELL (East Yarra) — I move:

1. In paragraph (a), omit "2.30 p.m." and insert "2.00 p.m."

House divided on omission (members in favour vote no):*Ayes, 14*

Broad, Ms	Madden, Mr
Carbines, Mrs	Mikakos, Ms
Darveniza, Ms	Nguyen, Mr (<i>Teller</i>)
Gould, Ms	Romanes, Ms
Hadden, Ms	Smith, Mr R. F.
Jennings, Mr	Theophanous, Mr (<i>Teller</i>)
McQuilten, Mr	Thomson, Ms

Noes, 29

Ashman, Mr	Furletti, Mr
Atkinson, Mr	Hall, Mr
Baxter, Mr	Hallam, Mr
Best, Mr	Katsambanis, Mr (<i>Teller</i>)
Birrell, Mr	Lucas, Mr
Bishop, Mr	Luckins, Mrs
Boardman, Mr	Olexander, Mr
Bowden, Mr	Powell, Mrs
Brideson, Mr	Rich-Phillips, Mr
Coote, Mrs	Ross, Dr
Cover, Mr	Smith, Mr K. M.
Craige, Mr	Smith, Ms (<i>Teller</i>)
Davis, Mr D. McL.	Stoney, Mr
Davis, Mr P. R.	Strong, Mr
Forwood, Mr	

Omission agreed to.**Insertion agreed to.****Amendment agreed to.****Hon. M. A. BIRRELL (East Yarra) — I move:**

- In paragraph (b), omit “and Thursday, and at 2.00 p.m. on Wednesday” and insert “, from 2.00 p.m. on Wednesday and from 10.30 a.m. on Thursday”.

Amendment agreed to.**Hon. M. A. BIRRELL (East Yarra) — I move:**

- Insert the following paragraph to follow paragraph (c):

“() debate on motions to take note of reports which have been tabled in the house during the session shall take precedence of all other business on Thursday until 10.30 a.m.,”

Hon. N. B. LUCAS (Eumemmerring) — I wish to identify myself with the opposition’s amendment on how annual reports are dealt with in this place. I had the honour of chairing the inquiry of the Public Accounts and Estimates Committee into annual reporting in the Victorian public sector. The report of the committee was submitted to the house in May of the autumn session. Interestingly, the now Premier, Steve Bracks, was a member of that committee. The recommendations of the committee were unanimous. They have been referred to by two speakers today — namely, the expert on double standards on the

government back bench and the Leader of the Opposition. I am pleased to refer briefly to some of the points in the committee’s report.

As has already been mentioned, a large number of annual reports have been submitted to both houses of Parliament over the years. It is sad that both the Labor and coalition partnership parties have paid less attention to the annual reports than they should have. Certainly that came out in the evidence put before the committee. I quote a statement by a witness before the committee, recorded on page 34 of the report:

Parliament is the primary target audience for annual reports ... and government bodies have a responsibility to ensure that parliamentary needs are met.

During its hearings the committee met with representatives of one tertiary organisation who were of the opinion that Parliament did not take any notice of what was being provided. Instead of presenting a bright, colourful and expensive annual report full of pictures, this government body did a photocopy job. It put in the bare minimum and never got any feedback. That was the case for many years, and that is a real shame. It is not good that Parliament deals with annual reports in that way.

The committee I chaired looked at the situation and asked, ‘What can we do to improve this unsatisfactory position?’. The committee found that the Senate in Canberra has an arrangement whereby all annual reports of commonwealth agencies are referred to the Senate committee responsible for the particular area for reporting and investigation. The Senate arrangements are detailed in the appendices of the report at page 145. I will not read all the paragraphs, but mention that it is clearly indicated that the Senate has a real role in examining each of the annual reports presented to it. Annual reports are considered in detail through a committee system. If they are not satisfactory, a report is made. The annual reports are investigated thoroughly and a report comes back to the Senate.

That is what this Parliament should be doing. A mechanism exists whereby it could be done. If desired, reports that are tabled in the Legislative Council could be raised and debated on a Thursday for half an hour, as suggested.

Mr Theophanous said earlier, ‘You are stupid over there. You are giving up half an hour’. That indicates to me that Mr Theophanous does not understand the basis of the proposal — namely, to look at the annual reports of government departments and agencies, which after all are working for the people of Victoria under the leadership of the departments and extending through to

Parliament. If the government will not take seriously the reports that come to the house and give up half an hour to examine them, it is not fair dinkum — and Mr Theophanous clearly is not.

I strongly support the concept of having time available to the house to debate, discuss and review the reports submitted to us. Sadly — a reflection on all sides of Parliament — in the past reports have not been examined as they should have been. The support of the proposal would be a forward move — one with which everybody should agree. I support the proposed amendment.

Amendment agreed to.

Hon. M. A. BIRRELL (East Yarra) — I move:

4. In paragraph (d), omit “10.00 p.m.” and insert “8.00 p.m.”.

Hon. M. M. GOULD (Minister for Industrial Relations) — As I indicated in putting the government’s view on sessional orders, the government has discussed this matter with the opposition. I wish to put on record that it was proposed that there be changes in three areas, and we reached agreement in this area. I formally place on record that the government supports the opposition’s proposal in its amendment 4, which means that no new business shall be taken after 8 p.m. That is fair and reasonable. The government has an understanding with the opposition that this arrangement would, by leave, be changed to allow the government to get through its business of the day.

Amendment agreed to.

Hon. M. A. BIRRELL (East Yarra) — I move:

5. In paragraph (e), omit “2.30 p.m.” and insert “2.00 p.m.”.

Amendment agreed to.

Amended motion agreed to.

Sessional orders agreed to.

BLF CUSTODIAN

44th report

Hon. M. M. GOULD (Minister for Industrial Relations) presented report for quarter ended 31 August 1999 given to Mr President pursuant to section 7A of BLF (De-recognition) Act 1985 by the custodian appointed under section 7(1) of that act.

Laid on table.

PAPERS

Laid on table by Clerk:

- A.C.N. 065 325 206 — Report, 1 July 1998 to 29 June 1999.
- Adult, Community and Further Education Board — Report, 1998–99.
- Aluminium Smelters of Victoria — Report, 1 July 1998 to 21 August 1998.
- Anti-Cancer Council — Report, 1998.
- Architects Registration Board — Report, 1998–99.
- Audit Victoria — Report, 1998–99.
- Australian Grand Prix Corporation — Report, 1998–99.
- Australian Power Exchange Pty Ltd — Report, 1 July 1998 to 31 March 1999.
- Board of Studies — Report, 1998–99.
- Building Control Commission — Report, 1998–99.
- Casino and Gaming Authority — Report, 1998–99.
- Central Murray Regional Waste Management Group — Minister for Conservation and Land Management’s report of 18 June 1999 of receipt of the 1997–98 report.
- Chiropodists Registration Board — Minister for Health’s report of 27 July 1999 of receipt of the report for the year ended 30 November 1998.
- Cinemedia Corporation — Report, 1998–99.
- Country Fire Authority — Report, 1998–99.
- Dental Board (incorporating the Report of the Specialist Practitioners Qualifications Committee) — Minister for Health’s report of 23 June 1999 of receipt of the report for the year ended 30 September 1998.
- Desert Fringe Regional Waste Management Group — Minister for Conservation and Land Management’s report of 18 June 1999 of receipt of the 1997–98 audit report.
- Docklands Authority — Report, 1998–99.
- Driver Education Centre of Australia Ltd — Report, 1998.
- Drugs, Poisons and Controlled Substances Act 1981 — Poisons Code — Amendments Nos. 3 and 4, Standard for the Uniform Scheduling of Drugs and Poisons, No. 13 and Minister’s Notice regarding the amendment, commencement and availability of the Code (four papers).
- Eastern Regional Waste Management Group —
 - Minister for Conservation and Land Management’s report of 18 June 1999 of receipt of the 1997–98 audit report.
 - Minister for Conservation and Land Management’s report of 1 September 1999 of receipt of the 1997–98 report.

Education Department — Report, 1998–99.

Electoral Commissioner — Statement of functions conferred, 10 August 1999.

Emergency Services Superannuation Scheme — Report, 1998–99.

Environment Protection Act 1970 —

Order in Council of 22 June 1999 declaring a variation to the State Environment Protection Policy (Waters of Victoria) and to revoke State Environment Protection Policy No W-29 (Waters of the Yarra River and Tributaries).

Order in Council of 17 August 1999 declaring the Industrial Waste Management Policy (Waste Acid Sulfate Soils).

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- Moira Planning Scheme — Amendments C1 and L30.
- Monash Planning Scheme — Amendment L54.
- Moonee Valley Planning Scheme — Amendments C2, C3 and C6.
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- Nillumbik Planning Scheme — Amendments L20, L24 and L25.
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- Port of Melbourne Planning Scheme — Amendment L31.
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- Shepparton (City) Planning Scheme — Amendment L63.
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Electricity Industry (Further Amendment) Act 1994 — Section 5 — 1 July 1999 (*Gazette No. G26, 1 July 1999*).

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GOVERNOR'S SPEECH

Address-in-reply

The PRESIDENT — Order! I have to report that His Excellency the Governor attended the house yesterday and was pleased to make a speech, of which, for greater accuracy, I have obtained a copy. As the speech is printed, I take it that honourable members do not desire that I should read it to them.

Hon. C. C. BROAD (Minister for Energy and Resources) — I move:

That the Council agree to the following address to His Excellency the Governor in reply to His Excellency's opening speech:

MAY IT PLEASE YOUR EXCELLENCY:

We, the Legislative Council of Victoria, in Parliament assembled, wish to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

Thank you, Mr President, for the opportunity to speak in reply to the Governor's speech on behalf of the people of Melbourne North Province. It is a great honour to represent the Melbourne North Province in the Parliament with my colleague the Honourable Marsha Thomson.

I take this opportunity to pay tribute to my predecessor in Melbourne North Province, the Honourable Caroline Hogg. As some honourable members would know, Caroline was elected in 1982 and remained a member for 17 years. During that time she was a minister for seven years and Deputy Leader of the Opposition in the Legislative Council from 1992 to 1996. Caroline Hogg also made an outstanding contribution as a local government councillor for 10 years prior to entering state Parliament, including a period as mayor of the former City of Collingwood. Her interest in my involvement in the Labor Party almost 20 years ago was a hallmark of her approach to politics. I recently attended an event where Caroline Hogg launched the council plan for the City of Moreland, one of the councils in my electorate. In that speech Caroline spoke about some of her many contributions to community services and community decision making. Her record speaks for itself and sets a standard I can only aspire to at this time.

Before 18 September, the area covered by Melbourne North Province had one government representative. Today it has six, five of whom are ministers in the Bracks Labor government. Labor's commitments are central to the electorate of Melbourne North. It will restore democracy, improve education and health services, and focus its efforts on a jobs and growth agenda.

The last census recorded that 35 per cent of people in the electorate of Melbourne North were born overseas. Labor believes the strength of our community is its foundation on the values of respect, cooperation and fairness. Labor is committed to investing in partnerships with local communities as part of the democratic process which creates opportunities for people from all cultures.

At a time when finishing school has never been more important, fewer and fewer young Victorians are making it to year 12. We know that education is the foundation and the future for our young people. It is a road to job and income security, to an understanding of our history and culture, and to self-respect and respect for others. However, since 1992 retention rates at year 12 have fallen. Over the same period the difference in retention rates between government and non-government schools has widened, and the disparity between metropolitan and country Victoria is alarming.

In the northern metropolitan region of Melbourne the retention rate for government schools has fallen from 88 per cent in 1992 to 75 per cent in 1999. That cannot be allowed to continue. Labor does not accept that situation. It will act. If young people are to have a decent opportunity to succeed they must, at the very least, be encouraged to continue until year 12.

Labor's concerted attack on the declining year 12 retention will include better support and encouragement for students, support for school-to-work transition, improvements to the integrity of the VCE, opening up a range of pathways for senior secondary students and providing a wider focus on personal development in schools.

Just as the government must invest in education for young people to safeguard the future, it must provide opportunities for everyone willing and able to improve their lives through work. Labor believes in creating a fairer society by rewarding work and talent. Reducing unemployment is one of Labor's fundamental goals. After more than seven consecutive years of national economic growth Victoria's unemployment rate is still unacceptably high. The unemployment rate for the north-western labour force region at the September 1999 quarter was 9.6 per cent compared with 6.9 per cent for metropolitan Melbourne. Victorians are now looking for government action to help them overcome unemployment. They want opportunity, fairness and security.

Labor will work in partnership with business, unions and the community to create more jobs. A Bracks Labor government will drive Victoria's unemployment down to a rate of 5 per cent by the end of the first term of government through a strategic and broad-ranging approach to tackling the jobs crisis.

Labor understands it is the role of government to break down the barriers that stop people from gaining unemployment. Special attention will be given to tackling youth and mature-age unemployment and to

those regions and suburbs with the highest unemployment levels.

I am privileged to enter the Victorian parliament as a minister in the Bracks Labor government. The government is committed to democratic reforms, improvement of education and health services and a jobs and growth agenda for all Victorians.

I am proud to be taking my seat in this Parliament together with 26 other new Labor members who are here today as a result of the Labor Party winning 50.2 per cent of the popular vote on 18 September. I congratulate all those who contributed to the Labor campaign to achieve the swing to Labor of 3.7 per cent, including those candidates who were not elected. Labor could not have achieved that result without all their efforts.

I pay particular tribute to everyone who contributed to the Labor campaign to elect Liz Beattie in the electorate of Tullamarine, which is part of my province of Melbourne North.

Together with all Labor members I am committed to implementing within the term of this Parliament the pledges Labor took to the election. Labor's pledges to Victoria are to provide a budget surplus every year, that is overseen by an independent Auditor-General with new constitutional powers. It will cut class sizes for grades prep, 1 and 2 to 21 or less through annual savings of \$40 million in cuts to government waste and advertising. It will make hospitals cleaner and reduce emergency waiting times by redirecting \$18 million from the health network bureaucracy. It will guarantee reliable supplies of gas, water and electricity through an essential services commission with tough new hours. It will restore the common-law rights of seriously injured workers and employ 30 new hazardous site inspectors by slashing \$2 million off Victorian Workcover Authority advertising. It will cut crime by stopping police station closures and having 800 more police on the frontline by using \$40 million from the abolition of the governments privatisation units and wasteful consultancies.

I shall underline a number of additional election commitments. Labor is committed to restoring the integrity and effectiveness of Parliament and restoring public respect for the political process. To that end Labor will reform the Legislative Council to make it a harder working house of review by introducing proportional representation, with five seven-member constituencies, reducing the terms from eight to four years, synchronised with Legislative Assembly elections, removing the right to block supply and

introducing a more effective committee system designed to monitor executive government.

Labor is committed to making Victoria's electoral system fairer and free of potential undue political influence. To that end Labor will ensure that all political donations are fully disclosed. It will make election contests fairer through limited public funding of elections.

Labor is committed to replacing compulsory competitive tendering with a best-value tendering system, allowing democratically elected councils to determine which, if any, services should be contracted out. Under Labor's policy of best-value tendering, local councils will make their own decisions based on both economic and social considerations in keeping with what best meets the needs of their local communities.

I am particularly honoured to be a minister in the first Bracks Labor government. I shall take a moment to highlight the key commitments relating to my ministerial responsibilities.

First, I shall deal with my responsibilities as Minister for Energy and Resources. The privatisation of Victoria's major energy supply and distribution system is a matter of profound regret. While it cannot be undone, it is vital that every step is taken to safeguard the interests of Victorian consumers and businesses who depend on the effective and efficient supply and distribution of energy. Labor believes government has a fundamental role to play in the provision of energy. Energy is still a key government responsibility because it is concerned with regional development, with the protection of the environment and with the assistance of low-income earners.

Labor proposes to strengthen regulation of the energy industry through the establishment of an essential services commission.

Labor rejects the notion that government should vacate its responsibility to the community to secure the supply of essential services at affordable prices for all Victorians. Labor will strengthen the role of government to guarantee a safe and secure supply of essential services, including gas, electricity, water and public transport. Labor refuses to accept that continual breakdowns and interruptions to services, such as gas and electricity, are unavoidable.

Labor will transform the Office of the Regulator-General into an essential services commission with powers to impose tough penalties, including fines on utilities that cannot guarantee supply, quality services, environmentally safe practices and

safe workplaces. The commission will have jurisdiction over all major essential services, including gas, electricity, water and public transport.

The commission will not only actively regulate the activities of all public and private utilities, it will also guarantee to Victorians quality and cost-effective services by providing key performance standards requiring a maximum uniform tariff arrangement across the whole state matched by customer service guarantees, introducing new powers to impose tough penalties, including fines on utilities that cannot guarantee supply, increasing penalties against any utility that causes injury, sickness or property damage to its customers or has poor work safety standards and establishing an independent essential services ombudsman to handle customer complaints and make rulings on compensation.

Labor will also establish a sustainable energy development authority (SEDA), with a charter to reduce Victoria's reliance on fossil fuels and to facilitate the development of a renewable energy industry in Victoria.

With the continuing concern about the dangers of greenhouse gases and global warming, one of the greatest challenges facing Victoria is the development of an energy industry that meets the environmental challenges of the next century. To that end, it will be important to decrease the reliance on fossil fuels and move towards renewable energy sources.

The creation of a new industry based on new technology has the potential to be a significant employment creator. New South Wales, which actively supports the renewable energy sector, estimates that the industry was worth \$3.3 billion to its economy in 1998 and is growing at 25 per cent each year.

I now turn to my responsibilities as Minister for Ports. Victoria's ports are vital to our economic growth and development. They are central to our international and national trade and to distribution of goods. Ports should be part of a seamless network integrating the transport and distribution of goods by rail, road, sea and air. Labor will strive for greater investment in Victoria's ports to improve their competitiveness and productivity. Labor is committed to breaking the stevedoring duopoly at the port of Melbourne by encouraging a third major stevedoring company to build and operate an international container terminal and/or other berthing facilities.

Labor believes that more stevedoring competition in the port of Melbourne will lead to greater infrastructure

investment and lower shipping charges. Labor will encourage new investment through realistic ports charges, taking into account the return on capital required by a new competitor to operate successfully. Labor believes Victoria's port infrastructure will operate most effectively and efficiently where there is a cooperative effort between all parties to improve waterfront productivity. Labor will work constructively with other governments, waterfront users, stevedoring companies, unions and the port authorities to improve waterfront productivity.

On a personal note, I am conscious that I am a newly commissioned minister and a newly elected member of Parliament. I am conscious of the past and of those who have come before. In particular, I am pleased to be part of the significant change in parliamentary representation following the election on 18 September. This Parliament now has 8 women Labor ministers and 21 women Labor members — that is, 38 per cent of Labor members are women.

It is a credit to the ALP that it has so successfully promoted women in Parliament. The Victorian ALP has worked long and hard to ensure that the number of Labor women members exceeds the minimum target of 35 per cent well in advance of its due date, 2002, in line with the Labor Party's determination to select the best possible candidates for election to Parliament and the party's belief that this is best achieved by ensuring that candidates are representative of the whole community.

I also draw attention to the valuable role played by Emily's List in providing funding and logistical support to Labor women candidates at the election.

I turn to a personally most important part of my speech. I have many people to thank for their support and encouragement, and without whom I would not be standing here today. I include, of course, all my Labor colleagues in Parliament, and I have previously referred to the Labor candidates and campaigners who are not here. Without their efforts Labor could not have achieved such a dramatic result.

My parents have made the journey from Perth to be here for the opening of Parliament. Their dedication to my early years of schooling in the north-west of Western Australia and their later support for my ongoing education have been invaluable. I am not quite sure they ever foresaw where it may have finished up — I certainly did not!

I thank the national secretary of the Labor Party, Gary Gray, for his support and encouragement. A number of people strongly encouraged me to accept the

appointment by the ALP national executive to the position of assistant national secretary of the party. In that respect I particularly thank Jenny Beacham and Gerry Hand. The six years I spent as assistant national secretary of the ALP, working with Gary Gray and the team at the national secretariat, were outstanding, as was the experience I gained in developing policy and planning election campaigns at the state, national and international levels.

However, I am looking forward to not needing to pack for long periods away from home, which is a necessary part of the life of a national official. I thank the Honourable Joan Kirner, former Premier of Victoria, for the opportunities she opened up for me when, in 1986, she invited me to join her staff as a ministerial adviser. That opportunity ended up lasting for nearly seven years — much longer than I ever envisaged. Even at the most difficult times the experience of the inner workings of government, and the people I met and worked with along the way, proved to be exceptional experiences.

I thank a number of people who strongly supported my move into Parliament, particularly Darrell Cochrane, Michael O'Connor and Martin Ferguson. I thank my partner for his support. Of course, there are many more people whose support at key points along my journey made a difference. To all of you: thank you, with all my heart.

I conclude by saying I am looking forward to the future. As a member of the Bracks Labor team I am committed to providing stable, open and accountable government that is able to work productively for the people of Victoria.

Hon. M. R. THOMSON (Minister for Small Business) — I am pleased to support the address-in-reply motion. I thank the voters of Melbourne North, who have elected me as their representative. In spite of its strong manufacturing industry, Melbourne North Province has one of the highest levels of unemployment in metropolitan Melbourne; yet there is a great deal of warmth and genuineness about the people living there. It would be difficult to find a richer cultural mix than that which makes up my province. I look forward to representing the interests and aspirations of my constituents.

I am very honoured to have entered this place as a minister in the Bracks Labor government. Labor has governed for a total of only 19 years in Victoria and on this historic occasion we mark the beginning of the tenth Labor government this century — a government

that will be inclusive and will work with all Victorians to grow Victoria for all.

I have been given responsibility for the small business and consumer affairs portfolios — a task I commit to with great enthusiasm. I know the commitment that small business operators must make to succeed. My father, with the help of my mother, ran a small business for most of his life. I certainly remember the long hours he put in so he could provide for our family. I remember my mother, with the help of my father, poring over the paperwork late into the night. I know the importance of trying to lighten the load and relieve the burden faced every day by small businesses.

My brother currently runs a small business and my sister is in the process of establishing one. I know how hard it is to make the decision to leave secure employment and take the risk to go out on your own. It must be stressed that small and medium-size businesses are vital to our economy. Their contribution is often underestimated in spite of the fact that that sector is responsible for almost half the total private sector employment and for 94 per cent of net employment creation.

The intrinsic value of small and medium business to employment and job creation in Victoria cannot be ignored. As a member of a pro-business, pro-investment Bracks Labor government I will work to ensure that the concerns of small business are not subjugated to the interests of big business. A Bracks Labor government will also assess the regulatory burden on small business and act to protect small business from unconscionable conduct.

Another important task for me as minister will be to assist small business in the lead-up to and the introduction of a goods and services tax (GST) on 1 July next. A comprehensive study by Sandford and Hasseldine entitled *The Compliance Costs of Business Taxes in New Zealand* conducted in the period following the introduction of the GST in New Zealand found that, on average, for every \$1000 of goods or services sold the compliance cost for the smallest firm is \$26.61, while the corresponding figure for a business in the largest category is 5.4 cents. The imposition of the unfair and unequitable tax system that was not only supported but advocated by the previous Kennett government will impact heavily on small Victorian businesses. Small business operators, who are about to become unpaid tax collectors for the federal government, are justified in their concerns over the effects the GST will have on their businesses. I fear many will struggle to survive the imposition.

One of the biggest strengths of the Bracks Labor government is its willingness to consult with and involve people in the decisions of government. It knows that the only way it can adequately assess the effect of legislation on ordinary Victorians is to listen, learn and consult with the Victorian people.

One of my first tasks as a minister will be to get out and mix with small business people, to hear from them directly about their every-day challenges and to represent their concerns within cabinet. Labor will establish a small business council to provide access to senior levels of government and pay particular attention to regional Victoria, which has suffered from the loss of banks, post offices and the centralisation of activity in big commercial shopping complexes.

My other portfolio responsibility, consumer affairs, has two components. One is to encourage practices that seek to strengthen trust between consumers and business. The other is to discipline those businesses that exploit the relationship. There is also an educative role to raise the awareness of consumers and businesses to their rights and obligations. A strong economic environment is crucial to the success of business. That is why fiscal responsibilities will underscore every measure and policy implemented by the Bracks Labor government. However, fiscal responsibility is not an end unto itself; it is a tool for ensuring that the economy continues to grow and enables governments to finance programs and deliver services.

Government is responsible for providing a framework for social cohesion where everyone feels they have a place within. They should not be left outside looking in. The Kennett government failed that vital test. It divided Victoria and it divided communities. It also failed to provide the basic services that society demands of its governments.

People want governments to provide hospital beds when they are needed in clean, well-run hospitals. They want schools that cater to the needs of the individual child's capacity to learn, irrespective of the parents' ability to pay and in classes sizes that ensure that no child goes without the attention that he or she requires. They want to know that their electricity and gas supplies are secure and reliable. They want a visible police presence to ensure that crimes are prevented rather than having to deal with the consequences after crimes have been committed. People want the elderly to be respected and properly cared for. They want development that is balanced against environmental interests. Most importantly, government must plan and develop strategies and policies that not only provide

basic services now but are able to meet the needs and demands of the future.

I reiterate that while the Bracks Labor government believes there are services that only a government can adequately deliver it is equally important to be financially responsible. To that end the Bracks Labor government is committed to budgets surpluses, but those surpluses will be delivered without compromise to its commitment to providing basic services. The government also differs from its opponents because it has a genuine commitment to putting compassion back into governing.

Another trademark of the Bracks Labor government will be openness in government. Victorians said loud and clear in September that they have had enough of living in a secret state where freedom of information was a joke and commercial in confidence was used as a smokescreen to keep Victorians in the dark about what the government was up to. The strength of support for the maintenance of the Office of the Auditor-General clearly demonstrated that the public understood that an important check on executive power was being eroded.

With the former government's increasing reliance on private contractors delivering essential government services, coupled with little capacity for parliamentary scrutiny, the nobbling of the Auditor-General was seen as yet another dangerous erosion of Victoria's democratic process. It goes without saying that along with the demise of the Office of the Auditor-General the sacking of the local government councils, the abolition of the Commissioner for Equal Opportunity, the demise of the Director of Public Prosecutions, the abolition of the Law Reform Commission, the limitations on freedom of information and the downgrading of sittings of Parliament all posed serious threats to civil and political rights and struck at the heart of good government. Mr Kennett's disdain for the institutions of democracy culminated in the gagging of Liberal members and candidates during the election. As Kim Beazley, the federal opposition leader said, that reduced the democratic process to a mime.

Democracy has always been an easy target and is only as strong as the country's political institutions are open and accountable and fundamentally democratically elected. In the second half of the 19th century Australia prided itself on being labelled the democratic laboratory of the world. More than 100 years ago Australia committed itself to the practice of one person, one vote. Australia lead the way, giving women the right to vote, introducing payments for members of Parliament to allow rich and poor to stand for election, and made secret ballot the norm. This year Australians will

celebrate 50 years of proportional representation in the Senate.

It is important to remember that a large share of Australia's population is either descendant from parents from overseas or recent migrants. Many come from countries that either do not have democratically elected governments or where democracy and its institutions are constantly under threat. Concepts of political and civil rights and their inherited importance to a democracy are well understood by those who endured their absence. The Bracks Labor government will do much to restore the democratic processes that were unravelled by the previous government.

The opposition will restore the independence of the Auditor-General and enshrine the powers of that office in the constitution. It will ensure the independence of key statutory office-holders, strengthen the Freedom of Information Act and end the commercial confidentiality blanket that hides government contracts from the public. Reform of this place will play a crucial part in ensuring that Victoria's democracy is vibrant and intact.

Clearly the upper house as it is currently constituted does not represent Victoria's electoral voting patterns. For example, at the last state election Labor achieved 50.2 per cent of the two-party preferred vote but it still has 32 per cent of the members in this place. In fact in its entire history the Australian Labor Party has been able to secure a majority in this house for only three weeks in 1985. Its reputation as the most undemocratic parliamentary chamber in Australia is well founded.

If this place is to truly represent the constituency at large and the points of view within it, it must establish proportional representation as the means of electing members. Victoria has a right to expect that both houses of Parliament will represent their present and future aspirations and not those of their past. It is only with proportional representation that this house can provide checks and balances on the government of the day and be a house of review like its federal counterpart.

Ultimately reform of the upper house will deliver better government. In the words of Nelson Mandela, 'Majority rule is not intended to suppress the views, the hopes and the aspirations of the minority'. The overwhelming domination of the Liberal Party in this chamber means that government certainly runs the risk of failing to represent the views of all Victorians. In the past, the leader of the Liberal Party in this house, the Honourable Mark Birrell, supported the call for reform in this place. Speaking as the Young Liberals former

president, Mr Birrell said there was clearly a strong need for parliamentary and electoral reform in Victoria.

An Opposition Member — It was unintended. He was uninformed then!

Hon. M. R. THOMSON — That is right!

In an article in the *Age* of 30 June 1980 the Leader of the Opposition was quoted as saying:

A broad view is developing, specially among young people, that state politics is becoming little more than an aloof debating game. It is for this reason that the Young Liberals are advocating important parliamentary and electoral reforms.

Those reforms include proportional representation in the upper house along with a raft of other reforms to the committee process. I look forward to the Leader of the Opposition supporting those important reforms.

None of us come to this place without the support of others. I wish to pay tribute to the men and women of the Australian Labor Party who campaigned tirelessly for a Labor victory knowing that ordinary Victorians could not afford another term of the Kennett Liberal government.

I thank party members in Melbourne North Province for their support. I make special mention of Murray Gavin, a Labor Party stalwart who is currently in hospital after suffering a stroke. When I spoke to him in hospital he said that he wanted to see two things in his lifetime: firstly, a Bracks Labor government, and secondly, Australia's becoming a republic. Murray's first wish has been realised, and I hope on 6 November his second will come true.

It was made starkly apparent during my swearing in how important it is that Australia should become a republic. I pledged allegiance to Her Majesty the Queen, her heirs and successors, when it would have been more appropriate to have pledged myself to the people of Victoria — the people who elect us and whom we serve.

I also wish to acknowledge the support of John Brumby, the honourable member for Broadmeadows, who is the Minister for Finance and the Minister for State and Regional Development; Christine Campbell, the honourable member for Pascoe Vale, who is the Minister for Community Services; Peter Batchelor, the honourable member for Thomastown, who is the Minister for Transport; and Liz Beattie, the new honourable member for Tullamarine. Each represents Melbourne North residents in the other place and brings a wealth of experience and talent to Parliament. I look forward to working with all of them.

I also acknowledge the other newly elected member for Melbourne North Province, Candy Broad, whose friendship and quiet determination I have come to value and respect.

To all my other Labor Party colleagues in this place: I look forward to strengthening the bond that has brought us here. I wish my predecessor, Don Nardella, all the best in representing the people of Melton. I know he will look after them well.

Politics is a tough game. However, I dissent from the statement of Bill Hayden that there are no friends in politics, only mutual interests. I am fortunate to have many friends who have supported me during my 25 years as a member of the Labor Party. I am unable to name them all, but I wish to thank Greg Sword, Bill Shorten, Stephen Conroy, David Feeney and Fiona Richardson — all of whom have extended friendship and support that has meant a great deal to me. I also pay a tribute to Neil Pope, a former Minister for Labour, for whom I worked in the last Labor government. I also thank the seconded staff from my departments, who are sitting here today listening to my speech.

At times like these we reflect on what motivates and shapes us. My family history is similar to that of many Australian migrants. My father escaped pre-war Poland and came to Australia via England. Most of his family and friends were not as fortunate and perished in the Warsaw ghetto. My mother's father escaped his Russian homeland during the revolution, literally walking his way to freedom and finally settling on an orchard in Shepparton. My rich Jewish heritage taught me the importance of tolerance and the need to learn from those who are different so that we may enrich our lives. It is important that that lesson is never forgotten.

In contrast to my wandering parents and grandparents, I was born, raised and still live in Pascoe Vale. I have always been close to my family — my mother and sister are both here today — and I know that when things get tough they will still be there for me. I have been fortunate in my choice of in-laws; no-one could ask for a more supportive family. My children, Ben and Naomi, are about to see a lot less of me, but I know that together we will all cope. That means that their share of the housework has just increased.

As a parliamentarian my husband, Kelvin, brings an integrity, capacity for hard work and commitment to his local constituency and the broader community and a value system that can only be admired. He is also the best example of a father, a husband and a son.

Finally, my father taught me to challenge and question what I read and what I learn, to fight passionately for what I believe in and to give back to my community. I hope at the end of my time in this place that I will have accomplished them all.

The DEPUTY PRESIDENT — Before calling the next speaker I remind honourable members that it is customary to hear members making their first contributions in silence. I commend members on both sides of the house for doing that. I also remind members from both sides who are making their first contributions that it is also customary to keep speeches as non-provocative as possible. I can assure them that in the future they will have the opportunity to make speeches without holding back.

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — It is a privilege to be the first opposition member to support the motion in favour of the address-in-reply to His Excellency the Governor. I am delighted to address the chamber as the new member for Eumemmerring Province. I thank my constituents for the honour they have bestowed on me by electing me as their representative and for their support for the previous coalition government.

I note your comments, Mr Deputy President. Unlike the members on the Treasury benches, in my maiden speech I will adhere to the conventions of this chamber. I acknowledge my predecessor, Ronald Wells, who served as the honourable member for Dromana in another place before being elected to represent Eumemmerring Province, and thank him for his contribution.

Extending from Springvale Road to the Bunyip River, Eumemmerring Province covers some 1200 square kilometres and has an exciting diversity of industries, cultures and geography. It includes Dandenong and its industrial precinct, the growth areas of Narre Warren, Berwick and Pakenham, the rural communities of Nar Nar Goon, Tynong, Garfield and Bunyip, and the foothills towns of Belgrave South, Emerald, Cockatoo and Gembrook. Although each area is unique in its character and needs — with more than 40 new families moving into the province each week — one of the core issues is the provision of infrastructure such as roads, schools and health facilities. The coalition government undertook substantial investment in those areas and the challenge for the minority government is to continue supporting development in the province. Eumemmerring faces challenges with the environment, in integrating its rural and urban communities, in primary production, in providing transport and in providing for its aged and ethnic communities.

I was born and have lived my whole life in the province. I was educated locally and have grown up with the area. It is a privilege to represent the people of an area I know and love. The change of government marks the end of an era, and it is worth while reflecting on the impressive record left by the coalition. In 1992 Victoria was in disrepair and disarray. The state that had once led Australia as its manufacturing and financial centre was reduced to a laughing stock. In the early 1990s Victoria hit rock bottom. State debt and unemployment ballooned, growth slowed and people left Victoria in droves. In a humiliating blow for a once proud state, Victoria's credit rating was repeatedly downgraded like that of a third world nation. Victoria was haemorrhaging.

The election of the coalition in 1992 was a breath of fresh air. In a short space of time Victorians witnessed a turnaround in their state. The haemorrhaging stopped and the restoration of Victoria's inheritance began. Budgets were balanced, state debt was slashed, public sector reform provided benefits for all Victorians and growth and investment were restored. Victoria's work force has now reached a record high.

The former coalition government introduced visionary initiatives in the provision of human services and education. Sixty per cent of the state's \$19 billion budget was invested in and dedicated to the provision of services for Victorians. Today, for the first time since records were kept, Victoria is recording positive net migration: more people are moving into Victoria than are leaving it.

However, the underlying achievements of the coalition are not recorded in statistics. They are the intangibles, such as the international reputation Victoria now enjoys as a pro-business, pro-investment state. They include the high levels of business and consumer confidence to be found among Victorian residents and companies. They include the AAA credit rating which reflects the stability and long-term prospects of the Victorian economy and which makes Victoria the first sovereign state ever to regain a AAA rating after having previously lost it.

Overall, the coalition's achievements are reflected in the pride which Victorians now have in their state. Ninety-nine years ago Victoria led Australia as the home of the first commonwealth Parliament. As we approach the centenary of Federation, Victoria again has the opportunity to lead Australia. The coalition's achievements provide sound foundations and a bright future for Victoria. It is incumbent on all parliamentarians to ensure that position is used and not allowed to decay.

As we move to opposition I congratulate the members of the shadow cabinet on their appointment. I note that collectively they have 38 years of ministerial experience and a remarkable 216 years of parliamentary experience. I am certain they will serve us well.

I am a commercial pilot by qualification. It is a profession that, by necessity, instils discipline, judgment and sound decision making — attributes which I hope will be of use in Parliament. When I commenced training for that profession almost a decade ago it was apparent that the aviation industry was beset by political problems requiring political solutions. Thus, from an early age, I became active in aviation industry politics, ultimately making a contribution at the federal level through successful lobbying campaigns. It was through that early political involvement that I realised it is possible to have an impact and to make a difference.

Buoyed by early success, I sought broader political involvement, so I joined the Liberal Party. For me, it was the only choice — a party founded on the principle of reward for effort and where the government supported that ideal, while caring for the genuinely disadvantaged in our society.

I am proud to be a member of Parliament. The Liberal Party gave me that opportunity. The party has a history of selecting its parliamentarians from the broadest possible base. It is willing to give people a go. It is a party not beholden to factions or quotas, but one willing to back new and fresh candidates in Liberal and winnable seats.

I sought election to Parliament because I wanted to assist Eumemmerring Province to build on Victoria's restored foundations. As a young and dynamic area, Eumemmerring has enormous potential, as evidenced by the rebirth of industry and investment. It is my objective to see that potential realised. If yesterday was about restoration, tomorrow is about advancement. The challenge in Eumemmerring is to identify and seize opportunities, to develop a vision for the future and to maximise its share of Victoria's prosperity. We must realise Eumemmerring's potential through strategic thinking and planning.

At the age of 25, I have the privilege of being the youngest member of this Parliament. I am very conscious of the responsibility with which I have been entrusted. I do not pretend to possess the wisdom of Solomon or to have all the answers. What I do offer is an inquisitive and open mind and a willingness to learn. I bring a youthful perspective to Parliament.

Eumemmerring Province has the youngest population of any province in Victoria. The average age is just 31 years, and more than 120 000 residents are aged under 30. In many ways they are the personification of Liberal philosophy — achieving their dreams through personal initiative and enterprise. I am conscious that although I may offer a younger outlook, I am responsible for representing all the residents of Eumemmerring, whatever their age or background. I am delighted to do so.

I stand here today as a member of Parliament because of life's opportunities — opportunities that have been given to me by my parents, the educational institutions I have attended, the employers for whom I have worked and the organisations and individuals with whom I have been associated. It is incumbent on us all to ensure we maximise the opportunities that life presents us. We must also ensure, where possible, that we create opportunities for others. Today's youth are often criticised for lacking initiative, motivation and interest and for failing to seize opportunities. In recent days I have seen two examples of young Victorians who are making the most of life's opportunities.

As honourable members will be aware, on Sunday 18-year-old Jesse Martin became the youngest person to complete a solo non-stop circumnavigation of the world, capturing the record from another young Australian, David Dicks. Last week while at a function in my electorate I had the good fortune to run into a friend from primary school. He is now a pilot and in the Royal Australian Navy. On 20 October Her Majesty invested him with an MBE — Member of the Order of the British Empire — at the age of 21. Those outstanding achievements by young Victorians serve as examples for other Australians of what can be achieved given the right approach.

I take this opportunity to congratulate the former Premier for his initiative in establishing the Victorian Youth Development Program — a program that aims to equip young Victorians with core attributes such as initiative and motivation, which will assist them to achieve their goals and to be valuable contributors in their communities.

Entering Parliament takes more than an individual effort. Electoral success requires teamwork and the support of party, friends and family. The Liberal Party branches and the new Berwick Young Liberals were outstanding in their support of my campaign. Prior to 1992 the Liberal Party held only one of the six seats covered by Eumemmerring Province. Today the party holds four, which is a testament to the work of the

volunteers and supporters. I am grateful for their efforts.

To my parliamentary colleagues I express my sincere appreciation for their guidance and support. In particular I thank my friend and Eumemmerring colleague, Mr Lucas, for his support throughout the campaign and as I climb the learning curve. I also offer my thanks to Mr Boardman, the former youngest member of the house, for his considerable assistance.

Deserving of special mention is my family. My parents, Ken and Joy, had the wisdom to equip me with the skills and education to allow me to achieve my goals. Without their love, guidance and encouragement throughout my life I would not have been able to achieve what I have to date. It is impossible to quantify the value of a stable, supportive and loving family environment. My parents have made considerable and enduring sacrifices in their own lives in order that their children could enjoy opportunities that were denied to them. I also thank my elder sister, Susan, who was my earliest and strongest supporter and who always had faith in her younger brother.

I am conscious of the responsibilities with which the people of Eumemmerring Province have entrusted me. I am honoured by the confidence they have shown in me, and I thank them for the way they have accepted me as their new representative.

I pledge that I will discharge my responsibilities to my constituents and to Parliament to the very best of my abilities. I am committed to the principles of Liberalism; I am committed to Eumemmerring Province; and I am committed to the pursuit of good government for Victoria.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — Doutta Galla, the province I represent, is the place in which I was born, the place in which I have grown up. Today I am proud and privileged to come to this house to represent the people I am one of, those who are part of me.

The name Doutta Galla is Aboriginal for star warrior. Doutta Galla — this is my place and will be my mantra: to represent those I am part of, those I know and those who know me. The distance from the place of my childhood upbringing — North Street, Airport West; a weatherboard home in a 1950s postwar subdivision located alongside the Essendon aerodrome — to the place I now stand is a little over 16 kilometres. The journey, though, has not been a direct one and has taken more than 30 years — a

journey from humble origins to this hall of great expectations.

Having been a teacher, a professional footballer, president of the Australian Football League Players Association, a registered and practising architect but most importantly a husband and a father, I bring to the house a broad range of skills and experience. Those professional skills and my personal experience have prepared me to the extent that I believe I may comprehensively represent the people of my province and that my skills and understanding will ensure that I undertake appropriately my ministerial role in the portfolios of sport, recreation and youth affairs and recognise their significance to our community in the state of Victoria.

I owe a great deal to the people who have ensured my journey was never one of hardship but one rich in emotional support. I have the immediate support of my wife, children, parents and brothers and the community support of neighbours, schools, sports clubs, community groups and the church. Much of that support was given to me as a youth through sport. I have been able to become the person I am mainly through sport. Arriving at this destination represents the sum of my experiences, of my place, of the people, of my family. In all humility I bring with me the spirit of that place — the spirit of Doutta Galla.

The place known as Doutta Galla extends to the north-west of Melbourne, across the windswept basalt plain that was once native grasslands. It takes in the suburbs extending from Niddrie in the south, beyond Melton in the north, from Brooklyn and Sunshine in the west to Airport West in the east. It encompasses relatively established suburbs, new growth corridors and some industrial areas and touches on the urban fringe — over 600 square kilometres in total area.

The 1996 census of this province lists the population as 223 592. Almost 60 per cent of the inhabitants are Australian born. Of those born overseas, the most common countries of their birth are, in order, Vietnam, Malta, Italy, the United Kingdom, the former Yugoslav Republic of Macedonia, Greece and Croatia. Over 40 per cent of the residents speak a language other than English. It is a population of great diversity, contributing to and enriching the fabric of that community. It is an area of great industry, progress and, most recently, growth. The enhancement of infrastructure, the airports, Doutta Galla's proximity to the city and its positioning between major highways signal a positive future for the province.

But before the suburbs spread across those plains, the Wurundjeri community, the local group, sat alongside the Wathaurong tribe. I thank the Wurundjeri community for that information. The Kororoit Creek Aboriginal Place is a highly significant heritage place within the Doutta Galla Province. It covers 8 hectares and has a uniform surface scatter of stone artefacts. No other place in Victoria has evidence of such a high-density prior occupation. The Wurundjeri community calls Kororoit Creek Aboriginal Place Balam Balam, which in its language means butterfly. For the tribe it represents freedom of expression.

The Aboriginal heritage value of the area became evident in 1983, when construction machinery began excavating the site as residential development began. The most significant land was compulsorily acquired and is now unreserved Crown land. The Department of Natural Resources and Environment manages it.

The site is unique. It contains significant Aboriginal archaeological relics and a significant vegetation community known as the western basalt plains grassland. The site is also known to contain three rare plant species and at least one rare fauna species, the striped legless lizard. It is a place rich in culture. The nature of Doutta Galla, pre and post-settlement, is one of great diversity, culture and underestimated character, both in the place and in its people.

The sum of my experience within and beyond Doutta Galla has helped me appreciate why sport is so culturally significant. It is the reason I have arrived here. It is appropriate that the ministries of sport, recreation and youth affairs provide the opportunity to contribute to a greater society. Sport has a profound influence, particularly on youth, and plays a significant part in our lives.

The mantle I carry is heavy. My reputation has preceded me, and therefore the expectation of me is much greater. As the new Minister for Sport and Recreation and Minister for Youth Affairs I follow in the footsteps of former sports ministers: Ian Smith, minister for six months only; Brian Dixon, Neil Trezise and Tom Reynolds. Since the Youth, Sport and Recreation Act was introduced into Parliament in 1972, Victoria has been provided with a great legacy of both physical and people infrastructure. A rich sporting culture, developed over generations, provides us with some of the world's greatest sporting events — the Melbourne Cup, the AFL grand final, the Australian tennis open, the Australian Formula One Grand Prix, the Phillip Island 500cc Grand Prix and the Boxing Day cricket test.

The success of Victoria's major sporting events is due to Victorians' love of sport, which has been built on high participation rates at club-level sport and affordable and easy access to spectator events. Given those advantages it is not surprising that we regularly produce some of the biggest crowds in the world. But we need to recognise that the influence of the commercial market, while supporting sport immeasurably, potentially puts at risk the ability of all Victorians to access these major events and the universality of sport that has prevailed until recent years.

The great challenge to government will be to maintain continued sporting access for participants and spectators alike and to ensure that is not put at risk by the continual drive for the corporate sponsorship dollar. A fine balancing act is required to ensure the highest level of sponsorship and funding without sacrificing grassroots community support.

In many ways sport cuts across cultural and political boundaries and allegiances. Sport uses criteria other than affluence or association to judge a person's worth — rather it depends on the willingness to participate and the measure of one's loyalty and character. Sport in this country and in particular this state is the great leveller. It matters not for whom you barrack, so long as you have a team, so long as you participate.

Provision for sport, in all measures, does not come from the state government alone. Local government authorities have been a major partner in the development of facilities and programs at the local and regional levels. Another key party in the development of sporting opportunities is made up of the state sporting associations that administer their respective associations. Those agents not only provide organisational support and policy direction for their sports but also are a key ingredient in Victoria in attracting and supporting the conduct of major sporting events.

The provision of sporting and recreational opportunities throughout metropolitan and regional Victoria depends on a successful partnership between state and local government, sporting associations and community groups.

If undertaken successfully, this partnership can provide a solid pathway of sport and recreational opportunities for Victorians from all walks of life and for all abilities. The key to much of this wonderful work is the goodwill of volunteers.

In recent years the notion of sport and recreation as a significant industry has become accepted due to a greater understanding of the economic, social and health contributions that sport and recreation make to the community. It is commonly accepted that the industry encompasses five sectors: sport, fitness, community recreation, outdoor recreation, and racing. The impact of the Victorian sport and recreation industry is significant and substantial. The industry provides economic, health and social benefits to the community. The economic benefits include the creation of employment for more than 60 000 Victorians. Over the past decade the industry has had an average employment growth rate of 6 per cent a year. It contributes more than \$2.3 billion to the Victorian economy annually. Nationally, sport attracts more than \$280 million in sponsorship, which represents 60 per cent of the total sponsorship provided by business for all activities.

Major sporting events are important tourist attractions. Victoria exports 39 per cent of Australian major sporting events, valued at more than \$158 million annually. Of course, there is a flow-on of health benefits to the community. It has been estimated that for every 10 per cent of the population that exercises regularly and moderately, \$104 million is saved annually from national expenditure on cardiovascular problems and \$1.5 million is saved daily by reducing spinal problems. Allowing for the annual cost of injury resulting from physical activity, the net benefit to the economy is \$590 million a year. Physical activity also plays an important preventive role in complaints such as diabetes, arthritis and osteoarthritis.

The social benefits of sport are substantial. In Victoria sport and recreational volunteers annually provide the equivalent number of hours of 10 800 full-time workers. Nationally, more than 26 per cent of all volunteer hours — 98.6 million hours — are provided in sport and recreation. Community and welfare is the only activity to attract more volunteer hours than sport and recreation.

Sporting clubs and facilities provide safe venues for healthy family and social activities. Annually 77 per cent of the Victorian population takes part in some form of active sport and recreation. Sport and recreation clubs and associations play an important role in promoting community cohesion, democratic processes and practices.

The vision of sport in Victoria is one where all Victorians — people with disabilities, older people, multicultural groups, regional Victorians, women, young people through school and club links, and those

from lower socioeconomic groups — will have equal access to a wide range of sport and recreational opportunities. Sport and recreation is an integral and important part of the lives of most Victorians as participants, spectators and volunteers.

I turn to youth affairs. At a time when youth unemployment and youth suicide remain contentious issues, regardless of political persuasion or allegiance, we owe it to young people to provide them with hope, support, confidence and opportunity. Most significant considerations in young people's lives include school education, training and educational opportunities beyond school years, access to apprenticeships and traineeships, employment, including first steps, issues and support, and dealing with the problem of drugs. It also includes other issues such as protecting the environment, transport, reconciliation, and the republic.

When I was eight my father died of a war-related illness, leaving my mother to manage and feed three large and burly youngsters. During my adolescent years I found male role models and support in various sporting organisations and youth groups. As society goes through much economic change, as we reach the end of the 20th century, as the demands on our lives make it ever more difficult to forge links within our community, the role of sport as a point of social cohesion will be ever more paramount. Sport can provide the links to our sense of community, to our spirit of place. Together we will enhance the social dynamic of sport in Victoria. My role will be that of Doutra Galla — star warrior.

Mr Deputy President — I have checked this with the President — to reinforce my point that sport cuts through all divides, I wish to present a football to the Honourable Peter Hall, the opposition spokesperson on sport, recreation and youth affairs, who I believe is indisposed at the moment. Perhaps the Honourable Ian Cover will stand in his place.

Hon. I. J. Cover — I will take the handball.

The DEPUTY PRESIDENT — Order! The minister may like a kick at lunchtime.

Hon. J. M. MADDEN — I was hoping to present this football to the Honourable Peter Hall. Fellow members may not be aware that Peter played AFL football with the same club as me — the Carlton Football Club. Having checked this with the President, Mr Deputy President, on this occasion you may allow me the indulgence of handballing this symbolic gift across the house. As Peter is not here I will give it to the Honourable Ian Cover.

Hon. I. J. Cover — I barrack for Geelong. I am not taking it for Carlton!

Hon. J. M. MADDEN — Nice catch, Ian. You coodabeen a champion! That is the first time in the past seven years that I have seen a member of the coalition keep his eye on the ball! Thank you for the privilege.

Sitting suspended 12.58 p.m. until 2.02 p.m.

Hon. A. P. OLEXANDER (Silvan) — It is a great honour to have the opportunity of delivering my first speech in this place. Firstly, I would like to thank honourable members for the kind advice and assistance they rendered me as a new member in my first days and weeks in this place. The assistance was kindly offered and gratefully received. Standing in this chamber today I am acutely conscious of the traditions of the office that you uphold, Mr Deputy President, and of your formidable reputation for impartiality and fairness. I am also conscious of the trust that so many have placed in me for the stewardship of the aspirations, needs and interests of the people of Silvan Province, a stewardship I hold jointly with Wendy Smith.

It is a privilege and honour to have been elected by the people of Silvan Province as one of their representatives in this place. Silvan is one of the new provinces in Victoria, having been created after the redistribution of electorate boundaries in 1990 and 1991. In many ways Silvan is an inspiringly broad and diverse electorate. Although challenging in a representational sense it also possesses a strong sense of community and local loyalty.

The province covers 316 square kilometres and includes the Legislative Assembly seats of Warrandyte, Mooroolbark, Bayswater and Monbulk. Broadly speaking, it encompasses those areas on both sides of the Dandenong Ranges as well as beautiful Mount Dandenong. Like most of the broader Victorian electorate, many of the people of Silvan Province live in suburban metropolitan dormitory suburbs and also dwell in small provincial townships and more remote places that are most accurately described as regional or rural. Within the boundaries of Silvan Province live some of the most environmentally aware and sensitive communities in the state ranging from those who value and wish to protect the natural environs in which they live to those who are living independently sustainable alternative lifestyles and those whose very commercial livelihood is derived from the land on which they live.

Silvan Province is fortunate to have some small but vibrant multicultural communities. They have enriched

us all. They include Australians of Dutch, German, Eastern European and Asian heritage, among many others.

Demographically, Silvan has higher proportions of the very young, 5 to 25 years of age and those in middle life, 35 to 55 years of age, than the state average. This means that the people of Silvan require more services geared towards youth and the mature aged than many other electorates.

Economically the people of Silvan are noteworthy. They have risen to the challenges presented over the past seven years of sound economic management in a diverse range of industry sectors. Clearly small business is almost a way of life in the province. Silvan boasts one of the largest and most robust small business sectors in the nation. That has occurred in tandem with the establishment and expansion of medium and light industry and high technology sunrise industries within the electorate.

Silvan's primary industries lead the state in stone fruit and cut flower production. There is also a healthy viticulture segment. Silvan's primary producers are working diligently in preparation for greater export readiness and expansion. Again, the will to cooperate within the province has recently seen the advent of potential-filled eco-lifestyle and recreational tourism segments.

Fortunately, the hallmark of such a diverse community in Silvan Province has been mutual respect for difference and cooperation within such diversity for at least the last seven years. It comes as no surprise that unemployment rates in Silvan, particularly among youth, are the lowest in Victoria and among the lowest in Australia.

How appropriate it was that the people of Silvan Province chose as their first representative in this place someone of the calibre of the Honourable Rosemary Varty. She began her long and distinguished parliamentary career in 1985 in a historic by-election for the former seat of Nunawading Province, a by-election that arose after a tied vote in a general election. Many honourable members will no doubt recall the democratic significance of that campaign to the entire state, and the final result.

Demonstrating incredible courage, determination and dignity in the face of enormous scrutiny and pressure, Rosemary appealed to the people of that province not to forget the critical role of this chamber of Parliament and its legitimate place in Victoria's democratic tradition of checks and balances. She went to the people under the

slogan 'Your vote is your safeguard'. Her platform was to save this chamber from abolition and to preserve intact a vital democratic safeguard within the Victorian political system. History records the clear answer of the people of Nunawading and Victorian people to her call at that time. I am confident that if called upon again their answer will not change.

Rosemary was a pioneer in many ways, not the least of which was her election as one of the first Liberal women to the Victorian Parliament. She was one of the first to serve with the Kennett shadow cabinet and ultimately the cabinet. I offer my heartfelt thanks for her guidance, encouragement and support since her retirement and convey to her the gratitude of the people of Silvan for her steadfastness and her loyalty so often evident since 1992.

My involvement with the Liberal Party began when at 16 years of age I joined the Nunawading branch of the Young Liberal movement. My family has always instilled in me the importance of the core democratic values and freedoms that are too often taken for granted.

My father came to this country in 1956 from Hungary where he and most of his family had fought in the Hungarian uprising against the Soviet-dominated totalitarian dictatorship. He fought bravely for human and democratic rights and for the concept of openness and self-determination for his people and for his family. He holds those values sacred to this day.

My maternal grandparents and mother came to Australia in 1949 as part of the great postwar immigration program from Soviet-occupied and dominated Ukraine. During the 1930s both my grandparents played an active part in the Ukrainian democratic youth movement. Under Stalin and subsequent Soviet dictators, the very lives of those involved in that democratically aligned organisation were at great risk.

I am indebted to my family for instilling in me the great values and ideals for which they fought and for which they risked and sacrificed a great deal. In the Young Liberal movement I found an organisation that is proudly and fiercely committed to the freedoms and values that I hold dear.

I am proud of the fact that I was elected as the movement's state president in 1989–90 — a time in my life I remember fondly. I pay tribute to the growing number of former Young Liberal movement presidents who now sit in this and the other place: the Leader of the Opposition in this place, the Honourable Mark

Birrell; the Honourable Bruce Atkinson; and the honourable members for Brighton, Doncaster and Bennettswood in the other place. It is a great honour to play a small part in the continuance of a proud Young Liberal movement tradition — a tradition that many other former Young Liberals who serve in this Parliament share with me.

I am justifiably proud to be a Liberal and a member of a party with a progressive and reformist tradition. It is the party of the late Sir Robert Menzies, who was an honourable member in this place at an important time in his life; and it is the party of the late Victorian Senator Allan Missen. The ideals of both those great men convinced me that in the Liberal cause I have found my true home. More than half a century ago Sir Robert Menzies said:

What we must look for, and it is a matter of desperate importance to our country, is a true revival of liberal thought which will work for social justice and security, for national power and national progress, and for the full development of the individual citizen, though not through the dull and deadening process of socialism ...

The great vice of our democracy, a vice which is exacting a bitter retribution from it at this moment, is that for a generation we have been busy getting ourselves onto the list of beneficiaries and removing ourselves from the list of contributors as if somewhere there was somebody else's wealth and somebody else's effort on which we could thrive ...

To discourage ambition, to envy success, to hate achieved superiority, to distrust independent thought, to sneer at and impute false motives to public service, these are the maladies of modern democracy — and of Australian democracy in particular.

Only 15 years ago Allan Missen said:

Liberalism is a sound philosophy adaptable to modern problems ... it is a worthy cause and a name with a proud message. Those who shelter under it must accept its true strictures. Liberals must be fearless on human rights issues, here and abroad, and compassionate towards those in need.

In many ways the sentiments of those visionary men constantly remind me of my personal responsibility to be a Liberal worthy of that name.

I am proud of the reformist and visionary achievements of the former Bolte, Hamer and Kennett governments in this great state. I know that their achievements — economic, cultural, social and legal — will endure as they rightfully should. Governments are a reflection of their times only when they represent the aspirations of their communities. Similarly, governments of the day come and go, but their legacies, the inheritances they leave behind, endure if they have truly represented the aspirations of the people. Only then is any reform

meaningful and lasting. On that criterion, none of the former governments I referred to would be found wanting.

It is important to me that we build on the legacy left us by those historic governments, and in doing so remain faithful to the vision of those who came before us. I want us to build on our strong and externally focused economic base to ensure that Victoria remains a heartland of small business, high-tech sunrise industry, primary industries and tourism. In a rapidly changing global economy I would like to ensure that our people have the education, skills-based training and retraining and the business resources to enable them to face this challenge with confidence. I want us to play our part in further strengthening the great achievements made in Victoria in protecting and conserving our natural heritage and environment in an economically sustainable way.

I hope we continue to work towards equality before the law for all Victorians regardless of economic status, ethnic or national origin, gender, sexuality, marital status, religion, political affiliation, age, disability or geographic location. I will work towards the ongoing task of strengthening protections from prejudice and discrimination in employment and superannuation, and to further enhance equal access to government and private sector services such as housing, health, education and public transport.

I will press for urgent research and intervention strategies in the area of depression and youth suicide, particularly for young people in rural and regional areas of Victoria. Those issues are fundamental to me. I will work for and passionately defend what we have already achieved in those areas and strive for the things that remain to be done. I consider I bring to this chamber human values, but they are also political values. In both cases they spring directly from my fundamental Liberal philosophy.

In conclusion, I thank some important people. I thank my partner and best friend, Neil Francis, who has shown me the true meaning of commitment in both easy and difficult times. I also thank the Victorian Liberal Party for the faith it demonstrated in me by giving me the opportunity to stand as the Liberal candidate for Silvan Province on 18 September.

I particularly thank the magnificent army of Liberal volunteers and workers who gave so willingly of their time, energy and commitment. They were the backbone of the local campaign in the electorate. I thank the voters of Silvan Province. I am honoured to be able to serve them all — including those who did not vote for

me — as their parliamentary representative. I promise to work diligently and to the best of my ability on their behalf. I hope during my time in this place I will be able to demonstrate that my contribution will form a small part of a lasting legacy for the wellbeing and prosperity of Silvan Province and of all Victorians.

Hon. E. C. CARBINES (Geelong) — I thank the house for the opportunity during the address-in-reply to the Governor's speech to address it following my election as a representative of Geelong Province. It is an honour to have been elected to represent the people in this 54th Parliament. I thank the people of Geelong for investing their confidence in me. I will work hard to represent their concerns in the Victorian Parliament and in our government.

Geelong Province is a huge electorate encompassing the suburbs and townships of the city of Greater Geelong, the Borough of Queenscliffe and parts of the Surf Coast Shire. The area now covered by Geelong Province has at different times played a key role in the history of Victoria.

It is important that I acknowledge that prior to white settlement of our great nation 200 years ago the Aboriginal people had lived in the state in harmony for thousands of years. The Wathaurong people have lived on the land that we now recognise as Geelong Province since long before the first white settlers arrived. One of the first written records of Geelong Province is of the occasion when the great sea captain, Matthew Flinders — known for being the first person to circumnavigate Australia — landed on the shores of Corio Bay and walked inland to the You Yangs before ascending the highest peak, which was later named Flinders Peak after him. Later the convict William Buckley escaped from the short-term settlement at Sorrento and lived happily for many years with the Aborigines on the Bellarine Peninsula.

In 1824 Hume and Hovell, who were responsible for much of the exploration of eastern Australia, travelled overland from the site of present-day Canberra to the shores of Corio Bay. In 1835 John Batman landed at Indented Head with a party of men eager to find suitable pasture land for business interests in Van Diemen's Land.

As the Port Phillip district grew, so too did the township of Geelong. Historically, we have never been happy with the deal we were given from Melbourne, and in 1848 the bustling township of Geelong asked the New South Wales Parliament to grant it local government status.

Geelong wanted to control its own affairs. It was unhappy that it was not being looked after by the Port Phillip administration. Local government status was awarded the following year in 1849, two years before the Port Phillip district separated from New South Wales and became the colony of Victoria. As the new member for Geelong Province I recently attended a dinner in Geelong to celebrate that very occasion. During the gold rush era thousands of new arrivals, keen to seek their fortunes at Ballarat, landed at the port of Geelong.

The people of Geelong have played their part militarily in our nation's history, sending men and women to the Boer War, the First World War and Second World War, the Korean, Vietnam and Gulf wars and recently as troops assisting with the peacekeeping effort in East Timor.

Today Geelong Province is famous for industries such as Ford, Shell and Alcoa. They are vital to Geelong, employing many of its people and thereby creating wealth for the city.

Geelong has world-standard education institutions such as Deakin University and the Gordon Institute of TAFE. The education of Geelong's children is complemented by Geelong's state schools and private colleges. The internationally renowned Commonwealth, Scientific and Industrial Research Organisation, the Marine and Freshwater Research Institute and the National Animal Health Laboratory also share Geelong as their home. Geelong Province has wonderful theatres, art galleries, museums, restaurants and festivals such as the Pako Festa, the Celtic festival, the Queenscliff music festival and the annual offshore youth music event at Torquay. It is home to some of the world's best beaches at Torquay, Jan Juc, Ocean Grove, Point Lonsdale and Queenscliff. Indeed, it is the holiday destination for many Victorians.

The Geelong region produces some of Australia's finest wines at Scotchmans Hill Vineyards, Spray Farm, Idyll, Bannockburn and Mount Anakie wineries. I am sure that, like me, many of my fellow members of Parliament will have tasted their wares.

Geelong Football Club and its fortunes affect the very psyche of the city. Geelong people rely on the voice of Geelong, the *Geelong Advertiser*, which is one of Australia's oldest newspapers, to inform them of the news, be it local, state, national or international.

Pearl Bay, the most loved town in Australia, has yet again put Geelong Province to the forefront of the

nation's minds and into its hearts. We laugh at the escapades of Laura, Diver Dan, Kevin and the Jollys, and most Australians have come to recognise Pearl Bay as the townships of Barwon Heads and St Leonards.

Sometimes, however, events in Geelong cause the nation to pause and reflect. Last December it witnessed the terrible deaths of the Geelong West firefighters in the Linton bushfire. The city grieved for the young men and their families.

I am very proud to be raising my family with my husband, Shane, in Geelong. It is a great place to live. I have not always lived in Geelong, having been born in Manchester, England. When I was 11 years old I migrated to Australia with my parents, Terry and Jean Cafferty, and my brother Derek. We were not sure what the future held for us but like all migrants we hoped Australia would offer us opportunities that we could not have found in the land of our birth. It is only now as a parent of young children that I can really appreciate what courage it takes to relocate your family halfway around the world leaving family, friends, familiar surroundings and jobs behind to start again.

Australia has been a wonderful country for my family. I pay tribute today to the migrants who, like my family, chose to make Australia their home and in doing so contributed so much to the nation.

It was during my early years in Australia as my family struggled to establish itself that I began to form strong views on social justice. Thanks to the removal of tertiary fees by the Whitlam Labor government I entered Monash University in 1975. The Labor government had given me, the child of a migrant working-class family, access to a level of education I would previously have been denied. In recognition of the education the Whitlam government has given me and thousands of other young Australians, I joined the great Australian Labor Party in 1975 and became a member of the Mitcham branch. So began a lifelong commitment to the value of education in society.

I firmly believe education is the key to social justice and equity. Until my recent election as a member for Geelong Province I worked as a teacher in state secondary schools. I want to give the young people being educated in Victoria's state schools the benefit of the fine education I received. During the past three years I was the English coordinator at Corio Community College — a fine college that exemplifies the hard work and commitment of Victoria's state teachers and their students. I wish my English and history students well as they currently undertake their VCE exams at Corio.

I am very proud to have been elected to the Victorian Parliament where I will continue my commitment to social justice policies and ensure that education remains a top priority. As a new member for Geelong Province I also pay tribute to the only other Labor female member of Parliament to represent the Geelong area, Fanny Brownbill. Fanny was the first Labor woman to be elected to the Victorian Parliament. She was the member for Geelong from 1938 to 1948, having won her seat upon the death of the former member for Geelong, her husband, William Brownbill. Fanny Brownbill won her preselection from a range of male candidates. I can assure honourable members that is no mean feat today and it would have been amazing in the 1930s, an era known for its conservatism and traditional gender roles.

During the by-election campaign the then federal Treasurer, Richard Casey, proclaimed that 'Parliament was no place for a woman' in an attempt to sway the Geelong voters. However, Mr Casey had not done his homework because there were more women than men in the seat of Geelong and Fanny Brownbill won the seat by more than 2000 votes. On her way to Parliament Mrs Brownbill declared that women 'became most indignant about Mr Casey's remarks and rallied together wonderfully'. She used her time in the Victorian Parliament to advance the cause of women and their families. In her inaugural speech she vigorously condemned the railway department ban on prams by explaining the detrimental effect that would have on mothers. She went on to hold the seat in the next four elections — a remarkable achievement — until her death. For some of those elections she was unopposed, which was a testament to her popularity in Geelong. Sadly, Fanny Brownbill died in office in 1948. At that time she was the only female member of Parliament in Victoria. At her funeral thousands of people lined Geelong streets as a mark of respect.

From what I have read of Fanny Brownbill, I am sure that she would be well pleased that more than 50 years later another Labor woman represents Geelong as a new member for Geelong Province. It is further cause for celebration that I have been elected to a Parliament that has more female than male members representing the government in the upper house. Surely that is a historical precedent, not only in Victoria. I cannot think of another house of Parliament in the world that even comes close in terms of female representation.

It is well known that during the life of this Parliament the government will introduce bills to reform the chamber in which honourable members now sit. The government aims to make the Legislative Council more representative and allow it to be a true house of review

designed to effectively monitor executive government. I look forward to the debate that will take place in the chamber on that issue.

Finally, it is important to me to publicly thank my family for their support. My parents, Terry and Jean Cafferty, deserve special mention for their years of love and devotion. They have always been in the background, quietly helping me achieve whatever I have set my mind to. They raised me to believe in Labor principles and have encouraged me to stand up for my beliefs.

My husband, Shane Carbines, through his advice and ongoing support, gave me the confidence to take on the challenge of standing for Parliament. I thank him for that, because without it I would not be standing here today as a member for Geelong Province. At this stage our children, Hannah and Scott Carbines, are not quite sure about their mother becoming a member of Parliament. However, I hope that in time they will understand my motivation and come to share my social justice beliefs. I feel confident the government's legislation will benefit the lives not only of my children but also of all Victorian children. Accordingly, I thank Hannah and Scott for putting up with the campaign.

I also acknowledge the support of my stepchildren, Anthony and Nicholas Carbines. I am sure that 18 September is a day they will never forget. I appreciate the role they have both played in assisting me. My brother, Derek Cafferty, has been a friend and adviser for as long as I can remember. I thank him for that. Members of the Australian Labor Party who have worked so hard to bring about not only my election but also the election of the Bracks government also have my sincere thanks.

I look forward immensely to the challenge of being a strong voice for the people of Geelong as a member for Geelong Province.

Hon. ANDREA COOTE (Monash) — It is with great honour and humility that I stand before this house today to present my inaugural speech as a member for Monash Province.

Monash Province is named after the famous Australian general, engineer and businessman, Sir John Monash. Hyman Herman said of Sir John:

He was a great leader and a genius at getting to the heart of any problem and finding its solution, the ablest, biggest-minded and biggest-hearted man I have ever known.

If I can be regarded by the people of Monash Province as having just one of those attributes I will feel I have

performed my duties well. At the outset I acknowledge the excellent work of my predecessor, Louise Asher, as a member for Monash Province. Louise is held in high regard by the constituents of the province and is respected by all. She has set a high benchmark for me. I thank her for her assistance and wish her every success as the honourable member for Brighton and in her new position as Deputy Leader of the Liberal Party. It is a great tribute to the Liberal Party to have a woman appointed as the Shadow Treasurer of this great state. Women in the Liberal Party are appointed on merit and it is to Louise's great credit that she has been appointed to such high positions.

I thank the honourable member for Malvern, Robert Doyle, for his friendship, intellect and humour. I also thank Leonie Burke, the honourable member for Prahran, and Helen Shardey, the honourable member for Caulfield, for their great support and encouragement, and on the excellent results they achieved at the recent election. I congratulate them all on being appointed to the shadow ministry.

Like me Peter Katsambanis, the other member for Monash Province, was born in the electorate. I believe our combined knowledge of the electorate will enable us to serve our constituents well. I look forward to working closely with Peter.

The Honourable Peter Costello, the federal Treasurer and the member for Higgins, has been a mentor to me. I feel fortunate to call him a friend and I take this opportunity to thank him for his guidance and friendship.

I thank the members of the Liberal Party for having sufficient faith in me to elect me as their representative. It is a great honour. I hope they feel proud of me as I seek to represent all the constituents of Monash Province and to uphold the Liberal principles I hold dear. Individual freedom, free enterprise and the strength of the family are ideals I feel passionate about, and I will endeavour to ensure they are reflected in the work I do on behalf of the constituents of Monash Province.

Monash Province is a diversified electorate and its people have many needs. In his article entitled 'Who should be in Parliament', Geoffrey Bolton states:

... I wonder whether we should not be more insistent that a parliamentary candidate should possess experience of the working world.

I have certainly had experience of the working world. I have been in private enterprise, which included running a most successful mushroom farm, the government

sector and the not-for-profit industry. I have also experienced extreme financial hardship and raised three children to adulthood as a single mother.

With his Polish-Jewish background it is fitting that Sir John Monash should have given his name to one of the most culturally diversified provinces in Victoria. Today the centre of Melbourne Jewish life remains the Caulfield-East St Kilda area, centred around Carlisle Street and Balaclava Road. I have met with a number of the leaders of the Jewish community and particularly enjoyed meeting members of the National Council of Jewish Women. I look forward to forming stronger relationships with them and learning more about their culture.

Prahran and St Kilda have a large gay and lesbian community. I acknowledge the work Leonie Burke has done with that community, especially in obtaining the use of the former braille library on Commercial Road as a community centre for the gay community, and in working with former Minister for Health, Rob Knowles, to establish the AIDS support centre located beside the Alfred hospital. Having had a close family member die of AIDS I am very aware of the need for support and assistance for AIDS patients and their carers. I hope to work closely with the gay community and look forward to attending its Midsumma festival.

Monash Province hosts not only part of the Midsumma festival, but other exciting festivals held throughout the year in Caulfield, Port Melbourne and St Kilda; the Chapel Street Festival, which was last weekend; the international, comedy and fringe festivals; and Moomba.

The Victorian Arts Centre, Melbourne Concert Hall, National Gallery of Victoria and Malthouse Theatre are all located in Monash Province. The arts are a mirror of our society, and a healthy arts sector indicates the health and maturity of the community. The former Minister for the Arts, Jeff Kennett, and his parliamentary secretary, Lorraine Elliott, encouraged a vibrant and diverse arts sector. I commend them for that.

Funding the arts is costly and is where the arts industry faces its greatest challenge. As deputy chairman of the Australian Foundation for Culture and the Humanities I was involved in establishing a partnership between business, government and arts organisations. Governments can no longer afford to supply full funding for the arts and businesses do not believe it is their responsibility to pick up the total bill. Businesses want to have a relationship with the organisations they are funding and to be seen as good corporate citizens

and good employers. On the other hand, arts organisations need to be more businesslike to remain viable and vibrant. A partnership between the government, business and arts organisations is a win-win situation all around and I believe it is incumbent on governments to facilitate these partnerships.

Monash Province not only has a strong arts sector but is geographically fortunate, being bound by the Yarra River and Port Phillip Bay and having such wonderful parks as the Domain, Fawkner Park, the Royal Botanic Gardens, Hedgley Dene, Caulfield Park and Albert Park.

As Victoria moves into the new millennium we must all concentrate on achieving a balance in our sensitive environment. In Monash Province there is a need to balance the health of the Yarra River with the needs of the tour boat operators, the commuter transporters, the rowers, the canoeists, the water skiers and the Domain Tunnel. On the bay we must protect the fragile foreshore environment at Elwood, the penguin colony at the end of St Kilda pier and the new sand on St Kilda beach. We also have to consider the needs of the swimmers, tourists, jet ski riders, anglers, yachties and cruise ships.

The examples in Monash Province I have cited are reflected across the state. There is a need to balance the needs of people wanting a skiing experience in the alpine regions with the needs of those who want a wilderness experience at Croajingolong and Hattah-Kulkyne and the need to protect beaches, parks, rivers and mountains for future generations. As an inaugural member of the Parks Victoria board I am vitally aware of the need for the sustainability of our environment. Biodiversity was an important issue addressed by the former Minister for Natural Resources and the Environment, Marie Tehan. There is a need to face the problems of too many kangaroos and koalas and the balance of the state's fragile grasslands. Although I represent an inner suburban province I will be sensitive to the needs and concerns of my rural colleagues, as well as the needs of conservationists.

I have outlined many exciting and positive attributes of Monash Province, but there is one aspect that is not to be celebrated — heroin deaths. In 1998 the province had the highest number of heroin deaths in the state. Although the province is widely diversified, drugs is the one issue about which all constituents are gravely concerned. While door knocking, letterboxing, walking the streets and campaigning at various railway stations during the last election campaign, everyone I met from Toorak to St Kilda and Garden City to Glen Eira was concerned at the considerable rise in the drug problem.

As the mother of three young adult children, I have been personally touched by the tragedy of heroin use and suicide among their friends. I am deeply concerned about what I see around me, from the young street workers in Grey Street, St Kilda, turning tricks for a hit, to the teenagers flocking at 7 o'clock in the morning into the recovery bars in Commercial Road and Chapel Street. Those young people spend the night dancing to exceedingly loud music, drinking water that I am told costs \$5 a bottle, and taking the designer drug ecstasy. The next morning they go to the recovery bars to repeat the performance and to wind down, ready for their week.

When I speak to those young people I find they all talk of a lack of self-esteem. I do not recall speaking about self-esteem at all when I was growing up; but then the family consisted of a large network of supportive relatives, the school reinforced strict regulations and the church was a strong entity. I wonder how we have misled the current young generation who, if they are not clever, successful, slim, attractive and witty, are considered losers — the worst form of community failure in their eyes.

I do not believe there are any simple answers to the drug problem. As Professor David Penington, the chairman of the former Premier's task force on drugs, said, there must be a bipartisan review of drug policies aimed at tackling drug addiction. The Kennett government initiated some sound programs, Turning the Tide being one of them.

As a member for Monash Province, I want to work closely with schools, parents, students, health professionals and drug addicts to search for ways to tackle the problem. I intend to devote considerable time to the issue and its effects on the families of Monash Province. I believe that politicians must drive the investigation, and I intend to do so.

Finally, I thank my family: my mother, Gwen Scoble; my sister; my children, Angus, Amelia and Charlotte Coote; and my husband, Alan Naylor. Their belief in me and their love and support give me strength. I hope they will be proud of the way I represent Monash Province.

Hon. W. I. SMITH (Silvan) — In opening the first session of the 54th Parliament yesterday the Governor, His Excellency Sir James Gobbo, delivered the Bracks government's statement on what it will do while in office. That statement was about vision, policy and direction. It is worth looking briefly at that document in considering what the government says it intends to do. The Governor said the government is interested in

promoting open and accountable government and in democracy, strategies for rural and regional Victoria and codes of conduct. The Bracks government claims to have key commitments to health, education, community safety and transport. The government is interested in reviewing the powers of the Auditor-General and the upper house of the Parliament. It says it wants to establish a Victorian constitutional committee.

The government also says it is committed to a substantial four-year program to reform and reinvigorate the state and to bring back pride and public confidence. It wants to deliver better health and education services and a better transport system. It wants to work in our regional and rural areas to build better communities. It is prepared to establish a partnership with local government. It is interested in transport infrastructure and in establishing infrastructure links, particularly to regional Victoria. It is also interested in road safety. As I said, it says it is committed to delivering better health services. In his speech the Governor states:

The government believes that Victorians deserve decent health services based on need rather than capacity to pay.

The Bracks government is interested in drug policy, education and the food industry. It is interested in providing a budget with a surplus. However, the one thing the policy does not talk about is how the government will deliver those services while achieving a balanced budget, and I do not see anything in that document about reducing public sector debt, which is still just over \$5 billion net. The one thing governments can do by producing balanced budgets is deliver services. If you are broke — that is, if you do not have the money — you cannot give the community the services it needs.

In trying to analyse the Bracks government's policies, I thought it worth considering the speech the Governor delivered when the last Labor government took office. The speech talked about the services the then Cain government promised to deliver and the services it said it was interested in. In 1982 the Governor said of the Cain government:

Modern management structures and updated financial management techniques will be introduced into the public sector.

As I recall it was the Kennett government that introduced accrual accounting. The Cain government said it wanted:

... to restore this state to the pre-eminent position it once held.

In 1982 it said also that it was:

... deeply concerned about the present high level of unemployment in Victoria and the low level of economic activity, particularly in the area of small business.

It also wanted:

... to improve the climate in which business operates.

The then Cain government said it was concerned about unemployment levels, particularly youth unemployment. At that stage one in four of those not employed was under the age of 21. The Cain government said it was interested in creating an economy that stimulated the private sector and created more jobs. It said it would not put up state taxes and charges, that it would restore growth and prosperity to the Victorian private sector, and that it was interested in producing a new and better industrial relations climate in the state.

I refer to some of the press articles about the results of those policies. Under the Cain government youth unemployment reached its highest levels in the 60 years since the Depression. Victoria was the nation's job-loss leader. The number of Victorians on the dole jumped from 76 000 to more than 140 000 in 1992. One in every 10 Victorians was searching for work. By 1992 our unemployment levels had risen to just over 12 per cent. Victoria's dole numbers trebled in two years and, as I said, our youth unemployment figure was a postwar record, at 46.1 per cent.

In his speech the Governor said the Cain government would turn around the depression in the housing and construction industry. Again I refer to the press statements following that speech. Nine years after the 1982 Governor's speech, one press statement showed that the Victorian housing industry was caught in its worst downturn in 30 years and called on the state government to take urgent action to stimulate building activity.

The Cain government said it would turn transport around and make it user friendly. All honourable members recall the 1990 transport dispute that stopped trams running in our city for weeks. In 1990 the annual report of the Public Transport Corporation showed it had a debt of \$3.3 million, or \$800 for every man, woman and child in the state. By 1991 the Commonwealth Grants Commission reported that under the Cain–Kirner governments the public transport deficit was \$1.2 billion. A task force that was set up in 1991 to examine the Met ticket fiasco recommended that conductors be phased out on some routes. At that stage there was also concern about another tram strike.

As I said, in the 1982 Governor's speech the Cain government said it was interested in improving the state's education system. It said it would:

... ensure that our children are adequately prepared for the employment opportunities ahead and the wider challenges facing them in the community.

Sufficient teachers and classrooms will be provided to ensure a maximum class size of 30 pupils in primary schools.

I have never fully understood the philosophy underlying the interesting debate on classroom size, although I appreciate it is about classroom size versus standard of education.

My experience with another education system relates to when I was living in Singapore for 18 months and had three young children attending the state school system, which had classes of about 42 students. When we returned to Australia two of my children went up a year at school. We discovered that class sizes had nothing to do with the quality of education. It was the quality of education being delivered in the classroom that was important.

In regard to education, the Cain–Kirner governments suffered strike after strike over the Victorian certificate of education (VCE). The education department was restructured five times in six years. It could not get the VCE right, it could not get the examinations right, and it could not get the results right. In one case, 2000 students in VCE received the wrong exam results. In 1991 the government asked the state's 42 000 teachers to forgo a backdated pay rise amounting to more than \$8 million to save 400 jobs in schools. In 1991 teachers banned Labor members of Parliament from entering their schools and secondary colleges; they sent a letter to the then Premier — I think it was Joan Kirner then — asking that no MPs be sent to their schools.

Information obtained under the Freedom of Information Act shows government funding of teacher union activities cost Victorian taxpayers up to \$1.2 million during that period. The problems with the VCE were such that the education and training department was restructured five times and in the end a major review of it was undertaken. There were many overhauls of procedure.

The former Labor government failed to deliver not only on education but also on health. Hospitals were closed during the Cain–Kirner days. Although the 1982 Governor's speech talked about improving health, the Cain–Kirner governments closed Prince Henry's hospital. It reduced outpatient services at Fairfield and closed 120 beds. It closed 500 beds at the Royal

Melbourne Hospital and it closed beds at the Royal Children's Hospital.

When the Kennett government came to power in 1992 it inherited a major financial disaster. Not only was the state a financial mess, but most of its services were not working efficiently. In 1982 the public sector net debt was \$11.2 billion. In 10 years it had risen to \$32 billion. The liabilities for superannuation and workers compensation had ballooned from \$4.5 billion in 1982 to \$23 billion in 1992.

We all remember the disasters of those days — the Victorian Economic Development Corporation, the collapse of the State Bank and the Pyramid scandal. Labor was actually borrowing money to pay interest on the money it owed. It could not deliver the promises it had made in the 1982 Governor's speech. Unemployment was high — more than 12 per cent by 1992; job security was non-existent. The unions had taken over education, health and transport.

In its seven years in office the Kennett government turned that situation around. It reduced unemployment from more than 12 per cent to just over 7 per cent. In the outer east, in the Silvan Province, the unemployment rate is 5.7 per cent, one of the lowest in the state. The former government turned around state debt: it was reduced from \$32 billion to \$5 billion. Victoria's credit rating returned to AAA. Manufacturing output per capita in Victoria today is 40 per cent higher than in any other state.

In 1997 Victoria recorded the largest fall in unemployment of any state. The former coalition government balanced its budget and efficiently delivered its services in health and education. It turned around health policy and it examined education and health preventive measures. The Kennett government examined the hard social issues, such as youth suicide — it set up a task force. It examined youth drug abuse, and in 1996 the Penington report was released. The former government acted on many of its recommendations.

The Kennett government recognised that without sound financial management and a balanced budget no services will ever be delivered to the community. Community services cannot be provided without them, and if we do not provide a sound economic environment businesses will not invest in the state or grow; the number of jobs will not grow and we will not reduce the level of unemployment.

In conclusion, I shall read a statement from yesterday's Governor's speech:

The government believes in growing the whole of the state and will take immediate action to restore confidence in Victoria. Victoria must create wealth and provide sustained economic growth if it is to prosper. That prosperity must be based on high productivity, a highly skilled work force, wages that ensure a high standard of living and international competitiveness.

Based on the Governor's speech of 1982, the 10 years of Labor government in between and the mess it created, I do not believe it.

Debate adjourned on motion of Hon. G. W. JENNINGS (Melbourne).

Debate adjourned until next day.

ADJOURNMENT

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

That the house do now adjourn.

Information technology: government policy

Hon. P. A. KATSAMBANIS (Monash) — I raise with the Minister for Energy and Resources, who is the representative in this house of the Minister for State and Regional Development, a matter of great concern, particularly to the people in my electorate — the future of the information technology industry in Victoria under the new Labor government.

As honourable members will be aware, under the Kennett government the information technology industry was one of Victoria's great successes and much of the new industry attracted to Victoria was based in my electorate, particularly around South Melbourne and Albert Park. Since the election of the Bracks government it has been noted that information technology and multimedia have been demoted in the government's priorities and no specific minister for multimedia has been appointed.

In a press release dated 21 October 1999 the Australian Computer Society states:

To demote the IT and T portfolio at a time when the rest of the world is giving it far greater prominence sends a clear message to the industry that this government has not thought through the priorities that are necessary to succeed in the information age.

Even more concerning is a report in the *Australian* of 26 October that the Queensland government — theoretically, mates of the Victorian government — was preparing a war chest of more than \$1 billion over the next five years to encourage the growth of

the information technology and telecommunications industry in that state, aiming for it to become the largest sector in Australia. It had already been noted that Queensland snatched the prestigious Australian Interactive Multimedia Industry Association Awards from Victoria and it was poised to strike and take as much of the industry as this government wanted to throw or send away.

This is a matter of great importance, because it means more jobs for Victorians. The opportunities that can be provided through nurturing and growing the information technology sector have been demonstrated over the past seven years. Will the minister advise the house of the emphasis and priority the government will place on the information technology industry and the action it intends to take to prevent Queensland from poaching more information technology firms from Victoria?

Yarra Valley Hockey Club

Hon. BILL FORWOOD (Templestowe) — I raise with the Minister for Sport and Recreation a matter concerning the Yarra Valley Hockey Club. The hockey club was formed in 1977 as the result of a merger between the Fairfield Hockey Club, which was established in about 1906, and the Ivanhoe Hockey Club, which I believe was formed in the 1930s. The club has been playing at the Northcote velodrome for quite some time. As I am sure the minister is aware, the velodrome is the proposed site for cycling training facilities for the forthcoming Olympics. I understand that requires narrowing the cycling track, which means the hockey pitch will no longer fit. As a result, the hockey club, comprising 400 members who represent 15 junior teams, 6 men's senior teams, 4 women's senior teams, 3 men's veteran teams and 1 women's veteran team, has nowhere to play.

I know this important issue has been raised by members of the previous government. The teams have been told to play elsewhere as of now. They have nowhere to play next season. A speedy resolution is needed to enable the clubs to field the teams in the required competitions next season.

I understand there was some attempt to get a tripartisan agreement between the cities of Banyule and Darebin and the minister's department so the teams would have somewhere to play. By way of a spur, I mention that one of the leading players in the veterans hockey team is the well-known ABC journalist Jon Faine. It is an important issue, and I would appreciate it if the minister could propose a mechanism whereby the teams could

have a suitable synthetic pitch made available, preferably in my electorate, early next year.

Scoresby freeway

Hon. N. B. LUCAS (Eumemmerring) — I raise with the Minister for Energy and Resources, representing the Minister for Transport in another place, a matter concerning the Scoresby freeway. In recent years many people across the eastern region of Melbourne have been considering the Scoresby freeway. During the discussions councils from Ringwood to Frankston have shown considerable support for the construction of that freeway. Looking across the west side of Melbourne one can see evidence of the incredible economic benefits that the Western Ring Road has brought. The people on the east side of Melbourne have said, ‘Wouldn’t it be great to have a similar road running from Ringwood through Dandenong’ — which I represent — ‘to Frankston?’.

During the term of the last government an environmental effects statement on the proposal was prepared. I have it with me. Basically it says that environmentally there is nothing wrong with building the road. At page 47 it states:

The economic analysis in that report —

that is, the Vicroads report —

found a [net present value] for the Eastern Freeway ... of \$44 million and a NPV with the Scoresby freeway in place of \$142 million.

It seems to me unbelievable that the government can now say the freeway will not be constructed.

The Greater Dandenong City Council — I am proud to represent that area — supports the freeway. The councils of Knox, Maroondah and Frankston are all strong supporters of the freeway. It would bring significant economic benefits to the area and provide a great impetus to business. I cannot believe the government has said it will not go ahead with the freeway. This is a return to the days of the south-eastern freeway, when there were traffic lights at Burke Tooronga and Toorak roads.

Stud Road is already blocked with traffic, and traffic lights are scattered along the road. At Springvale Road to the west the situation is similar. Those roads carry almost their full capacity of traffic. The proposal for a few minor works aimed at widening either of the roads to try to get more traffic onto them is not the answer. The answer is to build the Scoresby freeway.

I strongly urge the Minister for Transport in another place to rethink this decision. It is one of the first decisions of the new government, and it is a bad one. The people of Dandenong do not support this proposal.

Unemployment: ALP election promise

Hon. M. A. BIRRELL (East Yarra) — I raise a matter with the Minister for Industrial Relations. During the lead-up to the election the Australian Labor Party said in a number of different policy documents that it would achieve ‘an unemployment rate of 5 per cent by the end of the first term of a Bracks Labor government’ and that it would ‘reduce adult and youth unemployment rates to a level consistently below the national average within our first term of office’.

I am concerned to ensure that the employment prospects of the state continue to be advanced, particularly as currently the unemployment rate is below the national average. I seek a commitment from the minister that the government stands by those promises, and I seek advice from the minister as to the programs the government will bring to bear to achieve those outcomes.

Rural Victoria: gas supply

Hon. PHILIP DAVIS (Gippsland) — The matter I raise is directed to the attention of the Minister for Energy and Resources. During the election campaign the ALP published a document called *Brighter Ideas* which encapsulated its energy policy. In that document it was not obvious to me what support was being provided to rural communities, particularly in the reticulation of natural gas.

My query concerns the community of Yallourn North, which is within my province and is part of the rich area that is focused on the production of energy resources, particularly electricity from brown coal. In the greater western Gippsland area, renowned for its oil and gas fields and production of natural gas, it is of concern to residents that in some cases they have not been able to be connected to natural gas. The Yallourn North community is particularly anxious to have the opportunity to access reticulated natural gas.

Can the government advise whether there is any proposal regarding energy policies and the reticulation of natural gas to rural communities, particularly Yallourn North? Will the proposed \$170 million regional infrastructure development fund, as outlined in the Governor’s speech yesterday, assist small rural communities to connect to the reticulated gas supply?

Banks: charges

Hon. T. C. THEOPHANOUS (Jika Jika) — I raise with the Minister for Consumer Affairs a matter a constituent has raised with me concerning banking charges. I am sure all honourable members would be concerned about the way banks charge whatever fees they want. Some outrageous new credit card charges are being floated.

My constituent raised with me the specific issue of the 55-day interest-free period on credit cards. Apparently if moneys are outstanding on a credit card account and a purchase is made, the purchase does not attract the 55-day interest-free period unless the whole account is completely free of any amount outstanding. I imagine most people in the community would not be aware of this. They would believe that if they made a purchase they would have a 55-day interest-free period. That is not so if you happen to still owe \$1 on your account.

I ask the minister to inquire about those bank charges and to establish what the facts are with each of the banks and whether the practice is widespread so that I — and I am sure other honourable members — can notify constituents about the way some of those charges are made without the banks necessarily telling the consumer.

Rail: port of Geelong link

Hon. G. R. CRAIGE (Central Highlands) — The Minister for Ports would recognise the significance of Victorian ports, particularly the port of Geelong. Rural Victorians certainly recognise the significance of the regional ports of Portland and Geelong. The port of Geelong is in the hands of a private sector operator and there has been a marked improvement in the capacity and throughput of the port under that operator.

Geelong was once a mixed capacity port. Many years ago when I was involved in the ports of Geelong, Portland and Melbourne as a union official, we tried to get containers through Geelong as a container port. It is now well known as one of Victoria's best bulk commodity ports. It moves significant amounts of grain and phosphate. In recent times it has improved its throughput with commodities such as rice, woodchips and, importantly, whole logs for timber production overseas.

In its election policy the Labor government committed \$4.5 million to the people of Geelong and regional Victoria to build a rail link into the port of Geelong. I ask the minister: when will that work commence?

Australian Motorcycle Grand Prix

Hon. P. R. HALL (Gippsland) — I apologise to the Minister for Sport and Recreation for not being in the chamber this morning to receive his act of goodwill at the conclusion of his inaugural speech. That gesture is most welcome given that the last time we had a decent football in the house it finished up on top of a large cypress tree in the Fitzroy Gardens and the three errant members involved in that fiasco were not game enough to climb the tree to retrieve it. It was left to the possums. We invite the minister to join us in a bit of kick-to-kick in the Fitzroy Gardens at any time he chooses.

I raise with the Minister for Sport and Recreation the government's review of financial support for the staging of major sporting events. I welcome the minister's comments this morning recognising that several of those events are classified as signature events in the Victorian sporting calendar. One event mentioned was the Australian Motorcycle Grand Prix staged at Phillip Island. The event brings enormous benefit to Victoria, particularly to Gippsland. I noticed in the annual report of the Australian Grand Prix Corporation tabled in Parliament today that the last evaluation estimated that event alone brings in about \$54 million a year to Victoria, of which almost \$23 million is of direct economic benefit to the Bass Coast Shire.

Given the obvious economic benefits of the event to Victoria and Gippsland, will the minister provide a guarantee that the government will continue to support the Australian Motorcycle Grand Prix to ensure its ongoing location at Phillip Island is viable?

Mount Hotham: underground powerline

Hon. E. G. STONEY (Central Highlands) — I refer the Minister for Energy and Resources to an important powerline proposed to run from Mount Beauty to Mount Hotham. The powerline is almost ready to be signed off on, but I am concerned that that will not happen. The *Myrtleford Times* ran a detailed article on the issue. As the line is partly in my electorate I would like some assurances on it.

The article headed 'Power play threatens Hotham cable' states that the Department of Infrastructure has issued a planning permit for an underground line of 36 kilometres, which will partly go through the Alpine National Park.

Parks Victoria is still to give permission. A panel hearing in Bright was told how important the powerline

is to the future of Mount Hotham and Dinner Plain, which are currently serviced by a powerline that is subject to lightning strikes and other mechanical failures. The article also suggests Parks Victoria has been closely consulting with Eastern Energy. It states:

The dialogue continues in a very amicable way.

However, I believe the process is under threat from the new minority Labor government because of its policy, a problem identified by the article. It states:

A minority Labor government might veto the project. Party policy precludes any development in national parks.

I seek an assurance that the Labor government will not intervene in the process and will not impose its philosophy on something that is of vital interest to regional Victoria. I go further and warn that if this intervention occurs, it will expose Labor's promises about regional Victoria for what they are — that is, empty rhetoric.

Barwon Heads football and netball clubs

Hon. E. C. CARBINES (Geelong) — I ask the Minister for Sport and Recreation to advise the house of the government's view about the future of the Barwon Heads football and netball clubs. The former Kennett government told the clubs they had to relocate from their present site, which adjoins the caravan park in Barwon Heads, and suggested they may like to move to the township of Ocean Grove. That is highly inappropriate because obviously they are the Barwon Heads football and netball clubs, not the Ocean Grove football and netball clubs. They want to stay in their township and the township of Barwon Heads wants them to stay. Their lease has been renewed for only a year so the future of the club is uncertain. What is the government's view on the future of the Barwon Heads football and netball clubs?

Queen Elizabeth Oval, Bendigo

Hon. R. A. BEST (North Western) — I was delighted to hear the Minister for Sport and Recreation refer in his address-in-reply contribution to his commitment to work with state and local government sporting bodies and community groups to provide sporting facilities to enhance participation. With that in mind, I ask the minister about an election promise made in Bendigo about upgrading lighting at the Queen Elizabeth II Oval.

Has the minister discussed the issue with the City of Greater Bendigo, and if so with whom? Have any plans been provided to the minister by the City of Greater Bendigo? Has he also discussed the issue with the

sporting bodies that use the Queen Elizabeth II Oval, particularly the cricket and football clubs involved? There is a major concern — as was raised in the *Bendigo Advertiser* of 29 October — that because of the lack of consultation the type of lighting provided could be totally inappropriate to the sporting pursuits?

I also wrote to the minister about representations I received from the sporting group. I was concerned that when the group approached Labor members of Parliament about the issue they were told that the minister would not be able to see them until after Christmas. I am prepared to arrange for a delegation to come to Melbourne to meet the minister so that he can respond to the issue and ensure that the quality and type of lighting that is erected will enhance sporting participation at the oval.

Scoresby freeway

Hon. B. N. ATKINSON (Koonung) — I congratulate the Minister for Environment and Resources on her appointment and direct to her attention as the representative of the Minister for Transport in another place Labor's position that the Scoresby freeway will not be built, as did Mr Lucas. I listened to the extensive commentary from Mr Lucas about whether constituents of eastern suburbs electorates would strongly endorse it. I am concerned that, having decided that the road is not part of its agenda, the government will sell off the land previously reserved for the freeway. That occurred with other land that had been made available for both road reservations and, interestingly, public transport, perhaps when the minister was a Labor government adviser.

Given the importance of the Scoresby freeway reservation and the lack of north-south roads to facilitate traffic movement in the eastern suburbs and the fact that following extensive economic and environmental assessments its importance to the eastern suburbs and in the metropolitan, Victorian and national context has been demonstrated, I seek an assurance from the minister that no part of the reservation will be sold.

Electricity: winter power bonus

Hon. B. C. BOARDMAN (Chelsea) — I refer the Minister for Energy and Resources to the winter power bonus. She would be aware that the bonus consisted of a \$60 reduction in winter power bills for households and businesses for each of three years, commencing in 1998. Those who have just paid their winter power bills received it this year and it was to be continued until 2000. In 2001, when small business has access to the

contestable electricity market, the bonus will no longer apply.

The minister would be aware that funding for the bonus came from the franchise fees paid to the government by the power distributors. That matter was of importance not only to people in her electorate, particularly low-income earners and elderly people, but also to people across Victoria who saw the benefits of a \$60 concession on their electricity bills. Is the minority Labor government philosophically opposed to privatisation and the contestable electricity market, which will benefit consumers? Will the minister outline the minority Labor government's commitment to the winter power bonus?

Eastern Freeway: extension

Hon. W. I. SMITH (Silvan) — I direct the attention of the Minister for Energy and Resources, who represents the Minister for Transport in another place, to the road infrastructure in the outer east. Because of the amount of business and industry in the region the former coalition government built the Eastern Freeway extension, which stopped at Springvale Road. A commitment was made to extend that freeway. The community expectation is that the extension will be completed. There is a need for it because industry and business in the area needs links to the airports and ports.

The Kennett government realised that and in its last budget committed \$255 million to the extension. I have not found any information about a Bracks government commitment to that road. I seek a public commitment from the Bracks government that it will finish the extension from Springvale Road to Ringwood.

Bellarine Peninsula: gas supply

Hon. I. J. COVER (Geelong) — I refer the Minister for Energy and Resources to the connection of natural gas to the Bellarine Peninsula, particularly to the towns of Portarlington, Indented Head and St Leonards. My colleague the honourable member for Bellarine in another place has advocated that strongly over the past two years. However, he has been a sensible advocate because he does not want to see the state plunged into an overspending frenzy.

During the recent election campaign the Labor Party pledged to spend \$1.5 million to guarantee a natural gas connection for Portarlington, Indented Head and St Leonards. The pledge was given by the then regional and development spokesman, who is now the Minister for State and Regional Development. As a result of the pledge and guarantee Bellarine residents have high

expectations about the connection of natural gas. They hope the gas will be turned on by winter 2000, at the same time Victorians are receiving their next winter power bonus from the electricity sector.

I note with interest that the newly elected member for Geelong Province has added to the expectations by recently telling the *Geelong Advertiser* she would attempt to get the project started as soon as possible but that she could not guarantee the gas would be turned on by winter 2000. Will the minister make a commitment that the gas will be turned on by winter 2000?

Knox hospital

Hon. G. B. ASHMAN (Koonung) — I ask the Minister for Industrial Relations to refer the Minister for Health in another place to the outgoing government's commitment to the Knox public hospital. There is widespread concern in the outer eastern community that the hospital construction will not proceed under this government and that it will fund a minor upgrade to the Maroondah and Angliss hospitals. Those proposed upgrades will go no way towards meeting unmet demand for health services in the outer eastern suburbs. Residents will now be subjected to excessive travel times as they go to the central Melbourne area for medical services. Those people will bear a great deal of inconvenience and stress.

I seek a commitment from the government that rather than a minor upgrade of the Maroondah and Angliss hospitals a significant new service will be provided in the area to meet the unmet demand. The suggestion that an upgrade of the two hospitals will meet the requirements of the community is ridiculous. The footprint of each hospital is not large enough to cater for any expansion of necessary services. If the government were to expand the footprint it would be forced to compulsorily acquire a number of adjoining properties.

I seek commitments from the minister, firstly, that the government will not relinquish the option the previous government held on the old Wantirna trash and treasure site, which was the preferred site for the Knox hospital.

It is probably now the only large parcel of land in the area that could be regarded as suitable for the building of a hospital. The only other land reservations in the area would be those set aside for the Scoresby freeway and the Dandenong Valley Creek, but everybody agrees those sites are not suitable for a hospital.

I ask the minister to commit to a community consultation on the decision taken to abandon the building of Knox hospital. Consultation should be held

before the government relinquishes its option on the parcel of land in Wantirna.

Planning: government policy

Hon. C. A. STRONG (Higinbotham) — I congratulate the Minister assisting the Minister for Planning on his planning role in the government because, as I understand it, he is an architect and will be able to bring appropriate skills to that portfolio.

As the minister will be aware, in the past few years the building industry has had major input into the Victorian economy. It has created an enormous amount of wealth and employment in the commercial and office areas. The minister will understand from his background that development predictability and certainty are key issues for investment; developers need to know the rules under which they operate if they are to spend money on investments.

I understand from the Governor's speech that the government said it will undertake major changes to the planning rules under which developments are governed. That will introduce uncertainty. Will the minister indicate what time scale we are looking at, because a little uncertainty is manageable, but much uncertainty makes things difficult?

The minister will also understand that good planning outcomes that affect many people depend on consultation. Will the minister advise the house of the consultative processes to be put in place during that time scale?

Oakleigh South Primary School

Hon. ANDREW BRIDSON (Waverley) — I direct to the attention of the Minister for Sport and Recreation as the representative of the Minister for Education in the other place my concern about the proposed relocation of the Oakleigh South Primary School to the vacant site of the former South Oakleigh Secondary College. The Honourable Maree Luckins and I have worked assiduously behind the scenes on this issue with the former Minister for Education in the other place, Phil Gude. The last item of correspondence from the department, dated 15 September 1999, indicated that the school would be relocated to the site and that the new school would open at the commencement of the 2000 school year.

The school community in South Oakleigh would like to retain as much as possible of the secondary college site for playground and community use. That unique area of land, which is adjacent to the Huntingdale golf course,

would be a significant recreational facility for the community. It should not be sold to land developers.

Retail Tenancies Act

Hon. C. A. FURLETTI (Templestowe) — The matter about which I am concerned is directed to the attention of the Minister for Small Business. The minority Labor government's policy on small business, titled Taking Care of Small Business, includes a proposal to review the Retail Tenancies Act, purportedly in the interests of protecting small and medium businesses. I know the minister's history lies in having been a ministerial adviser and electorate officer and that she has had little experience in the area. I congratulate her on her appointment and I also wish her well in the steep learning curve ahead of her.

Last year, after a six-month extensive consultative review by a committee chaired by the Honourable Wendy Smith, I am told by people who work with the act every day that the rewriting of the legislation was close to the mark in its tightening of leasehold ties between tenants and landlords. It concerns me that government policy proposes the abolition of the 1000-square-metre limit now defined in the retail tenancy legislation and the inclusion of public corporations under the operation of the act, which is intended to protect small business. I am also concerned that the government proposal intends to extend the operation of the act to commercial premises, elements of which appear to redefine small and medium-size businesses.

In the interests of tenants and landlords who operate under the act will the minister explain to the house: firstly, the government's definition of small and medium-size business; secondly, the government's definition of retail compared to commercial; thirdly, who will comprise the proposed review committee and what its terms of reference will be; and, fourthly, what consideration will be given to small investors with mortgages who rely on rental from retail tenancies to survive?

The PRESIDENT — Order! I remind honourable members that the request to be made to a minister on an adjournment debate is to be confined to one matter. I understand about the general question on amendments to the Retail Tenancies Act, but the final request came down to three or four detailed questions. I remind honourable members that matters raised should refer to one request, one complaint or one query.

Motor car traders: registration fee

Hon. W. R. BAXTER (North Eastern) — I direct a matter to the attention of the Minister for Small Business. I was encouraged during question time this morning and in her inaugural speech by the commitments the minister gave to small business. Those commitments were genuinely made and built on the commitment given by the Labor Party in its election policy to assist small business, particularly taking a special interest in regional Victoria.

I allude to a problem afflicting some small businesses in country Victoria about the application of the Motor Car Traders Act, which requires those who trade in motor cars to be properly licensed. However, at the moment it has an unfortunate implication for some businesses such as the one I have in mind in Corryong, a remote town in north-eastern Victoria.

A business of farm machinery repairs there happens to sell only eight or nine farm motor bikes a year as a service to local farmers because no appropriate dealer is located within 150 kilometres of the town. The business is required under the act to hold a licence at a cost of about \$900 a year — or about \$100 to \$150 per bike sold — which makes it a completely uneconomic franchise to hold. Yet, if it did not hold the franchise people would be forced to purchase that farm machinery — with is how the bikes are classified — at Albury–Wodonga, which would lead to more business going from Corryong.

I have studied the Motor Car Traders Act. I notice that various sections of it would enable an exemption to be granted in cases such as the one I have outlined. I invite the minister to give the matter her early attention, perhaps as one of her first acts in meeting the government's commitment to small business, to materially assist small businesses in small country towns to survive in a competitive environment but without in any way impinging on the desirability of motor car traders being required to hold licences, bearing in mind that the particular business and dozens like it do not actually sell motor cars.

Trams: Box Hill extension

Hon. D. McL. DAVIS (East Yarra) — I seek the assistance of the Minister for Energy and Resources as the representative of the Minister for Transport in the other place on a matter concerning public transport infrastructure in the East Yarra Province. I am concerned, as are many of my constituents and parliamentarians who represent the area, about the doubt on the future of certain parts of that public

transport infrastructure and, in particular, the recent franchising agreements signed by the former Kennett government that were flagged as the means by which the tramline would be extended from Mont Albert to Box Hill. That important extension would link much of the public transport not only within the province but also to the regional transport hub at Box Hill. The extension of the tramline would bring both tram and bus routes much closer to the Box Hill railway station, which is one of the largest stations in the metropolitan area.

Although the Premier has said a number of times that he would not break contracts, at the same time he said he would seek to renegotiate some of the former government's contracts. I seek an assurance from the Minister for Industrial Relations and the Minister for Transport that the renegotiation will not in any way involve a repudiation of the promise to extend the line between Mont Albert and Box Hill that was scheduled to be completed in 2002.

I, along with other local members and important citizens, including the mayor of the City of Whitehorse and other local dignitaries, are very supportive of the extension of the tramline. We were there when the franchising arrangements were declared and the contents of the contract were made public. In that context I seek an assurance from the Minister for Transport that the contract will not be renegotiated and the tramline extension will be completed.

Police: Murrumbeena station

Hon. M. T. LUCKINS (Waverley) — I raise a matter with the Minister for Sport and Recreation, who represents the Minister for Police and Emergency Services in another place. It concerns the Murrumbeena police station, which is in the electorate I share with the Honourable Andrew Bridson. The station is also located in the lower house electorate of Oakleigh. During the election campaign extensive campaign material was distributed throughout the area by the Labor Party. We did not know there would be a Labor government at the time. The material promised that a Labor government would stop the touted closure of the Murrumbeena police station, a small, older-style station that operates only during daylight hours. A review of the fate of the Murrumbeena, Elsternwick and Glenhuntly police stations was to occur some time down the track when the new 24-hour police station in Caulfield was up and running.

During the election campaign the new Labor member for Oakleigh made many commitments to save the station. I refer to an article in the *Port Phillip Leader* of

1 November entitled 'Doubt on police pledge', which states:

New Oakleigh Labor MP, Ann Barker, cannot guarantee the survival of the Murrumbeena police station despite campaigning on a policy of no more police station closures.

She is quoted as saying that she would work hard to fulfil her commitment but it was impossible to guarantee. She further states that when she made the promise she was unsure about what processes were required to ensure the station's survival. I find it odd that she makes promises with all care and no responsibility without understanding the process required to deliver on the promise made.

Will the minister convey to his colleague in the other place the community expectation following the promises made by the new member for Oakleigh? Will the minority Bracks Labor government honour the commitment and the pledge made to the people of Murrumbeena regarding the police station?

Drouin Secondary College

Hon. K. M. SMITH (South Eastern) — I refer a matter to the Minister for Sport and Recreation, who represents the Minister for Education in another place.

Hon. T. C. Theophanous interjected.

Hon. K. M. SMITH — If you have a question, get up and ask in your time!

Before the last election a commitment of \$1.3 million was made for the construction of a multipurpose room at the Drouin Secondary College. Can the minister give me and the school a guarantee that the commitment will be honoured, unlike what happened with the Scoresby bypass? Should I advise the school that the funding is under threat?

Courts: Moorabbin complex

Hon. J. W. G. ROSS (Higinbotham) — I raise a matter with the Minister for Small Business, who represents the Attorney-General in the other place. It concerns the proposed court complex at the former Moorabbin municipal offices and town hall adjacent to the Moorabbin railway station. The Department of Justice has undertaken a number of analyses of the site and examined possibilities for creating a court complex. The Kingston City Council is looking at development opportunities on the site and it is absolutely vital that a decision is given on the future of the court complex. I seek a speedy answer to the question of whether the court complex will go ahead.

Responses

Hon. M. M. GOULD (Minister for Industrial Relations) — The Leader of the Opposition raised with me Labor's commitment to reducing unemployment levels. The government is committed to its target of reducing unemployment levels. I will pass the question on to my colleague in the other house, the Minister for Post Compulsory Education, Training and Employment.

The Honourable Gerald Ashman asked me to refer Labor's policy on privatisation to my colleague the Minister for Health in another place. He asked questions about the Knox hospital.

An Opposition Member — On privatisation!

Hon. M. M. GOULD — Yes, privatisation. I will pass those comments on to the minister and he will respond to the member for Koonung Province in the usual manner.

Hon. C. C. BROAD (Minister for Energy and Resources) — I obviously got lucky today! I have plenty of time and I will go through the questions one by one.

The Honourable Peter Katsambanis asked a question about information technology. I will refer it to the Minister for State and Regional Development, who I am sure will be pleased to reply very soon.

The Honourable Neil Lucas asked me to make representations to the Minister for Transport in the other place about the Scoresby freeway. I will do so and the minister will respond at the appropriate time.

The Honourable Philip Davis referred to Labor's energy policy at Yallourn and the reticulation of gas supplies to Yallourn communities. In particular, he referred to the infrastructure development fund and commitments being examined by the Labor government. That matter is under consideration along with many other matters in relation to the fund. The government will make an announcement in due course.

The Honourable Geoffrey Craige referred to the implementation of a rail connection to the port of Geelong which was a very important commitment made by Labor at the recent election. The timing of that connection is the subject of discussion with the Minister for Transport and an announcement will be made at a time of the government's choosing.

The Honourable Graeme Stoney referred to powerlines at Dinner Plain near Mount Hotham. I am aware of the

matter and am advised that the Minister for Environment and Conservation is considering it with the objective of securing the required power supply in a way that is compatible with the best interests of the park. The minister will give her decision on that at the appropriate time.

The Honourable Bruce Atkinson raised a matter concerning the Scoresby freeway reservation and asked me to take up the matter with the Minister for Transport in the other place. I will be pleased to do so. The minister will respond at the appropriate time.

The Honourable Cameron Boardman drew to my attention the winter power bonus introduced by the previous Kennett government and sought an assurance that the Labor government will continue with the decision of the previous government. I will examine the matter and consider it in due course.

The Honourable Wendy Smith raised an issue concerning the Eastern Freeway extension and asked that I take up the matter with the Minister for Transport in the other place. I will be pleased to do so in due course.

The Honourable Ian Cover drew my attention to pledges concerning the connection of natural gas. The matter is not part of Labor's election commitments, but I will be pleased to examine it.

The Honourable David Davis raised the matter of the extension of the tramline from Mont Albert to Box Hill and sought an assurance that Labor was not in the business of repudiating contracts. I will be pleased to refer the matter to my colleague the Minister for Transport in the other place, who I expect will be able to reply to the matter speedily.

Hon. M. R. THOMSON (Minister for Small Business) — The Honourable Theo Theophanous raised the matter of bank charges for credit cards. The department is concerned about and is already looking at one aspect of credit card charges — the way banks advertise their credit card charges and let consumers know what costs are actually incurred. It will be more than happy to look at this aspect of credit cards as well.

The Honourable Carlo Furletti raised four or five questions. I will provide him with a detailed written response.

Hon. C. A. Furletti — When?

Hon. M. R. THOMSON — As quickly as I can.

I hope by tomorrow. The Honourable Bill Baxter raised an issue concerning the Motor Car Traders Act. I am interested in receiving a detailed brief on the exact circumstances and will have a good look at the matter.

The Honourable Ron Bowden raised a matter concerning a proposed court complex at the former Moorabbin Town Hall site.

An Honourable Member — Ross.

Hon. M. R. THOMSON — I apologise. I will not make the same mistake again.

An honourable member interjected.

Hon. M. R. THOMSON — I am sure the Honourable Ron Bowden would like to hear the answer to my question.

Honourable members interjecting.

The PRESIDENT — Order! The issue was raised by Dr John Ross.

Hon. M. R. THOMSON — I am sorry. I will pass on the matter of the old Moorabbin Town Hall site and obtain a speedy response.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — The Honourable Bill Forwood raised a matter concerning the Yarra Valley Hockey Club. I recognise the issue is of concern. I will refer it to the appropriate people in my department and inform the honourable member of expected progress in that direction.

I thank the Honourable Peter Hall for his comments and advise him that, as I say to my children, if the ball should go up into the cypress tree, I'm not going to get it. As was mentioned, currently the government is reviewing all finances for major events, particularly the 500cc motorcycle grand prix. If the contributions are of the magnitude outlined by Mr Hall I expect there to be guarantees for the grand prix to continue.

The Honourable Elaine Carbines raised an issue concerning the Barwon Heads football and netball teams. The issue is of major concern. I will inform the honourable member of progress made in that direction.

The Honourable Ron Best referred to a pledge made about the lighting of the Queen Elizabeth Oval in Bendigo following consultations between the ALP candidates in that city and various sporting clubs. The government looks forward to implementing the pledge and working with the interested parties and other stakeholders towards the best outcome for all groups.

The Honourable Chris Strong raised a matter concerning planning guidelines and consultative processes. I will direct the matter to the attention of the Minister for Planning in another place and ensure that progress on the matter is referred back to the honourable member.

The Honourable Andrew Brideson raised the issue of the relocation of the Oakleigh South Primary School to the former South Oakleigh Secondary College site. I will refer the matter to the Minister for Education and ensure that the honourable member is informed of progress on the matter.

The Honourable Maree Luckins raised for my attention the police pledge concerning the Murrumbena police station. I will refer the matter to the Minister for Police and Emergency Services in the other place.

The Honourable Ken Smith asked for a commitment to funding the construction of a multipurpose room at the Drouin Secondary College. I will refer the matter to the Minister for Education in the other place.

Motion agreed to.

House adjourned 3.58 p.m. until Tuesday, 9 November.

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