drowned. The article also states that the water is stagnant in many places and is a breeding ground for rats and snakes, and is a health hazard. I shall hand the Minister of Public Works a copy of the Sunshine *Advocate*. I hope that the information contained therein will be sufficient to institute an inquiry.

Mr. TREZISE (Geelong West).—I direct to the attention of the Minister acting for the Minister of Housing the continued concern of residents of the Corio "B" and "C" Housing Commission estates at Geelong over the delay in providing shopping facilities in the area. Approximately 650 houses have been constructed in the area which is bounded by Cox-road, Princes-street, Purnell-street and Bacchus Marsh-road. The inhabitants of these dwellings have been living in the area for four years, and many of them have to travel 1½ miles to the nearest shopping centres in Norlane and Corio along a busy highway. I understand that provision has been made for the construction of shopping facilities in Nevada-avenue in the estate, but the previous protests on behalf of the residents have not borne fruit. I have been informed that the delay in the construction of the shops is caused in part by "red tape". With the winter approaching, I urge the Minister to cut the "red tape" to ensure that these shops are built as soon as possible. Certainly the residents of the estates have been patient up to this stage.

Mr. PORTER (Minister of Public Works).—I shall refer the comments of the honorable member for Geelong West to the Minister of Housing who will, I am sure, try to find some way of helping him. I am delighted that the Deputy Leader of the Opposition has been able to supply further information in regard to the Kororoit creek. I shall refer it to the Minister for Local Government, so that the honorable gentleman can reply, as was suggested in the answer to the question asked last week. The suggestion made by the honorable member for Williamstown in regard to displaying a model of the Lower Yarra Crossing has my full support. It is a wonderful idea, which I shall discuss with the Minister for Local Government with the view to arranging for a model to be displayed.

The motion was agreed to.

The House adjourned at 3.56 *p.m. until Tuesday, March* 7.

Legislative Council.

Tuesday, March 7, 1967.

The PRESIDENT **(the Hon. R. W. Mack)** took the chair at 2.50 p.m., and read the prayer.

LAND (SURF LIFE SAVING ASSOCIATION) BILL.

This Bill was received from the Assembly.

The PRESIDENT (the Hon. R. W. Mack).—I have examined this Bill, and in my opinion it is a private Bill.

The Hon. V. O. DICKIE (Minister of Health).—Mr. President, in another place this Bill was also ruled to be a private Bill, but it was dealt with as a public Bill. I propose that the same procedure be followed in this House. Therefore, I move—

That this Bill be dealt with as a public Bill.

The motion was agreed to.

On the motion of the Hon. V. O. DICKIE (Minister of Health), the Bill was read a first time.

REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2).

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

THE CONSTITUTION ACT AMENDMENT (ELECTORAL) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

SUPREME AND COUNTY COURTS (SITTINGS) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

PIPELINES BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

PIPELINES (SUBMERGED LANDS) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

VICTORIA INSTITUTE OF COLLEGES (BOARD OF STUDIES) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), was read a first time.

DANDENONG VALLEY AUTHORITY (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

STATE SAVINGS BANK (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), was read a first time.

RAILWAYS (STATE COAL MINE OFFICERS) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

EDUCATION DEPARTMENT.

EDUCATIONAL TELEVISION SERVICES.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) Following the Ministerial statement in the Commonwealth Parliament on the Weedon report on educational television services, what consultations have taken place between the Commonwealth and the State of Victoria?

(*b*) When were these consultations, how many have taken place, and who were Victoria's representatives?

(*c*) What decisions (if any) have been made on—(i) the needs of this State; (ii) the possible basis for State-Commonwealth co-operation; and (iii) the establishment of machinery for regular review of needs?

(*d*) Up to date, what additional sums have been provided by the Commonwealth for the purpose of expanding instructional television programmes?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) and (*b*) (i) A meeting of Commonwealth and State Ministers (and their advisers) concerned with broadcasting and education was held in Canberra on 7th July, 1966.

Victoria was represented by the Minister of Education, the Director of Finance, and the Director of Education.

(ii) On 4th August, 1966, at the annual meeting of the Federal School Broadcasts Advisory Committee in Perth, the Directors and Directors-General of the State Departments of Education met with senior officers of the Australian Broadcasting Commission. Victoria was represented by the Director of Education.

(*c*) It appeared from the consultations referred to in the above answers that developments up to the present and needs

and aims in the respective States varied greatly. It has therefore not been considered practicable for the Commonwealth and States to inaugurate any common policy on educational television at this stage, and no decisions have been made at a Government level.

Educational television in Victoria is relatively well advanced, in co-operation with the Australian Broadcasting Commission, at a local level through the Victorian Advisory Committee on School Broadcasts, which comprises representatives of the Education Department, the independent schools and the Australian Broadcasting Commission, and is chaired by the Director of Education. The Education Department makes severeal teachers available on a full-time basis to work with the Australian Broadcasting Commission in the production of programs. In each recent year new educational television programs have been introduced, and this year there are some 60 instructional telecasts per week during the school term. The A.B.V. programme from 9.5 a.m. to 3.20 p.m. Monday to Friday is almost entirely occupied by telecasts for schools. Most of these are at the secondary level and include lessons in science, mathematics, geography, English, French, history and music.

(*d*) Answer not known (such sums if provided would be allocated to the Australian Broadcasting Commission).

BURSARIES: STUDENTSHIPS: UNIVERSITY AND TRAINING COLLEGE COURSES.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) How many students applied for Education Department bursaries in Forms IV., V., and VI., respectively, in each of the years 1964-65, 1965-66, and 1966-67?

(*b*) In each case, and for the same years, how many were awarded studentships?

(*c*) Of those holding studentships who matriculated, how many were rejected by the universities under the quota system for these years?

(*d*) How many students holding studentships are enrolled at each university and how many are enrolled at the secondary training colleges?

(*e*) Of those enrolled at the secondary training colleges, how many are studying for a degree and how many are undertaking other courses, stating in each case for what courses the trainees are enrolled and what is their duration?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers contain a certain amount of statistical data, and I seek leave of the House to have them incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follows:—

(*a*)

——	1964-65.	1965-66.	1966-67.
Form IV.	3,604	3,857	4,067
Form V.	3,044	2,637	3,210

Form VI. pupils rarely apply for bursaries, and no separate figures are available. The odd numbers have been included in those for Form V.

(*b*) The number of unsuccessful applicants for bursaries who were ultimately awarded studentships is unknown. The number of busary holders who were subsequently awarded studentships is not readily available and would necessitate the examination of over 10,000 application forms which is not considered justified at this time of the year.

If the question relates to the numbers of students in Forms IV., V., and VI. who were awarded studentships, the answers are:—

——	1964-65.	1965-66.	1966-67.
Form IV...	Nil	Nil	Nil
Form V. ..	Nil	Nil	Nil
Form VI...	2972	3284	Over 3,600—Final figures not yet known

(*c*) This information is not available as a number of students offered studentships did not take them up for various reasons, probably including in some cases that suggested in the question.

(*d*) All holders of secondary studentships are enrolled at secondary teachers' colleges. The analysis of courses is:—

——	Melbourne University.	Monash University.	Secondary Teachers Colleges.
1965 ..	1,604	842	539
1966 ..	1,560	1,160	582
1967 ..	Final figures are not yet known.		

——	1965.	1966.	1967.
Degrees	2,069	2,269	Final figures are not yet known
Phys. Ed. (3 years)..	91	135	
Dip. Ed. (1 year) ..	286	363	
T.S.T.C. (3 years) ..	539	535	

TEACHER–LIBRARIANS.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) What courses are available for training teacher-librarians in Victoria?

(*b*) In each case, what is the extent of the course and how many students were enrolled for the years 1963, 1964, 1965 and 1966, respectively?

(*c*) Are any students enrolled on a part-time basis; if so—(i) how many; and (ii) on what basis are they enrolled?

(*d*) How many secondary, high and technical schools are without a teacher-librarian who has both—(i) a qualification of teacher training; and (ii) a qualification of librarianship?

The Hon. G. L. CHANDLER (Minister of Agriculture).—As the answers to these questions are lengthy, I ask leave to have them incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follow:—

(*a*) (i) A course at Melbourne Teachers' College leading to the Trained Teacher–Librarian's Certificate.

(ii) A course at the Royal Melbourne Institute of Technology leading to an Associate Diploma of Librarianship.

(iii) Courses at teachers' colleges leading to the certificate of competency in school library work.

(*b*) (i) Course for Trained Teacher–Librarian's Certificate. This is a one-year course of full-time study. Enrolments: 1963—24; 1964—21; 1965—24; 1966—15.

(ii) Course for Associate Diploma of Librarianship. This is a two-year course of full-time study. Enrolments:—

1963—189.

1964—212 (14 full time, 198 part time).

1965—197 (29 full time, 168 part time).

1966—247 (55 full time, 192 part time).

This course is designed for the training of librarians for all types of libraries. None of the full-time students has been teachers, but some of the part-time students have been teachers in charge of school libraries. The record of enrolments includes a category of people working in libraries connected with education (including school, college and university libraries.) The number of part-time students enrolled in this category were:—

1963	48
1964	36
1965	31
1966	47

(iii) Course for certificate of competency in school library work. This is a course of 50 hours followed by twelve mouths practical work. The course is available not only to teacher–librarians but to teachers generally. The following figures show total numbers enrolled with numbers of teacher–librarians in brackets.

1963	111 (25)
1964	115 (23)
1965	167 (16)
1966	201 (32)

(*c*) (i) Trained Teacher–Librarian's Certificate. No students are enrolled on a part-time basis.

(ii) Associate Diploma of Librarianship. Students are enrolled on a part-time basis. For numbers enrolled see answer to question (*b*) (ii). Part-time students are enrolled in evening classes or in day classes. Students enrolled part-time in day classes would usually be attending lectures in selected subjects in time made available by the employing authority.

(iii) Certificate of competency in school library work. Teachers attend either an evening class in their own time or a vacation school held during the one week May vacation and one week of school time.

(*d*) 170 high and girls' secondary schools. 58 technical schools.

CAMP HILL STATE SCHOOL, BENDIGO: ROCHESTER PUPIL: TRAVELLING ALLOWANCE.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

(*a*) Has the Psychology and Guidance Branch of the Education Department recommended that a pupil in Grade IV. of the Rochester Primary School should have remedial reading lessons at the Camp Hill Special School, Bendigo?

(*b*) Is the Minister of Education aware that this pupil is attending the Camp Hill Special School two mornings a week?

(*c*) In view of the fact that the parents are travelling 200 miles a week by car to secure this remedial training for their child, will the Minister make available an increased travelling allowance over and above the present totally inadequate amount of 10 cents a day?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) To provide suitable assistance for an exceptionally difficult remedial case at Rochester Primary School, the Psychology and Guidance Branch suggested the nearest remedial centre at Camp Hill State School. The parents accepted this suggestion.

(*b*) Recently, the boy concerned began attending the remedial centre on two full mornings a week.

(*c*) In accepting the suggested assistance, the parents volunteered to make the journey twice a week to Bendigo without cost to the Department. The Minister has no authority to make an increased allowance available.

TRANSPORT OF SCHOLARS IN BARNADOWN DISTRICT.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

Has a school bus contractor refused to cross the Barnadown bridge over the Campaspe river with his buses; if so, what action has been taken by the Government to enable children living east of the river to get to school?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

There are at present insufficient State secondary school children living east of the Campaspe river to warrant the extension of the school bus service beyond the present terminus.

When the matter was previously under consideration, the bus proprietor was not prepared to extend the route beyond the bridge.

The Hon. M. A. CLARKE (Northern Province).—By leave, I point out that the Minister did not answer the first part of my question.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I will have that answered.

APPRENTICESHIP COMMISSION.

BENDIGO-NORTH EASTERN REGION: APPRENTICE SUPERVISOR.

The Hon. A. K. BRADBURY (North-Eastern Province) asked the Minister of Agriculture—

(*a*) How long has the position of apprentice supervisor for the Bendigo-North Eastern region been vacant?

(*b*) When is it expected that a replacement will be appointed?

(*c*) What is the cause of the delay in filling this position?

(*d*) In view of the large area and the number of apprentices in the area, will the Apprenticeship Commission agree to splitting it into two regions?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*), (*b*) and (*c*). An appointment was made late last year. Since then, the officer concerned has been undergoing training in Melbourne. However, he took up duty at Bendigo yesterday.

(*d*) The size and the disposition of the field staff is kept under regular departmental review.

RAILWAY DEPARTMENT.

FLINDERS-STREET RAILWAY STATION: AREA DEVELOPMENT: OPTION BY H.K.J. PTY. LTD.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

With reference to the option held by H.K.J. Pty. Ltd. to the rights of area development in Flinders-street west of Swanston-street which was extended for a further three years from May, 1966, due to the uncertainty of the date of commencement of the underground railway—(i) is the option still current; and (ii) what progress (if any) has been made towards fixing a date for the commencement of the underground railway?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

(i) The option is still current. (ii) Discussions are currently in progress in an effort to solve the problem of obtaining sufficient loan funds to commence the underground railway. No date for the commencement of the project can be fixed until this problem has been solved.

MANNING OF SUBURBAN STATIONS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(*a*) What metropolitan railway stations remain unmanned after approximately 8 p.m. each evening?

(*b*) Was the practice of withdrawing staff from certain metropolitan stations after 8 p.m. introduced for economic reasons or because of a staff shortage?

(*c*) Is the practice of leaving such stations unmanned to remain as part of administrative policy or is it proposed to restore staff when it is economically and/or physically possible?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) A list of stations, as at 28th September, 1965, where there are no staff on duty after the times indicated, was published in *Hansard* No. 3 (1965), pages 245-247. Apart from minor changes in times due to timetable alterations, the only amendments to the list are—

Sandown Park and Epping, which were not operating at 28th September, 1965, are manned to the times shown hereunder:—

—	Monday to Friday.	Saturdays.	Sundays.
Sandown Park	8.22 p.m.	8.23 p.m.	5.30 p.m.
Epping ..	8.50 p.m.	8.50 p.m.	5.12 p.m.

Manning of Thomastown and Lalor has now been extended to the times indicated hereunder:—

—	Monday to Friday.	Saturdays.	Sundays.
Thomastown ..	Last Train	Last Train	11.16 p.m.
Lalor ..	Last Train	Last Train	Last Train

(*b*) The non-manning of suburban stations was necessitated by an acute staff shortage and an overtime limitation imposed by union action.

(*c*) This will be determined as staff becomes available.

DECENTRALIZATION.

GIPPSLAND INDUSTRIES.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(*a*) How many industries have been established in Gippsland during each of the past ten years, giving the name and location of each?

(*b*) Which of these have closed, stating when and for what reason?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) Information can be supplied relating only to those industries which have had contact with the Division of State Development, as follows:—

1957—Storey-Davies & Co. (Sale).

1958—Wonthaggi Cotton Mills (Wonthaggi).

1959—Carus Chemical & Household Products Co. (Traralgon).

1960—Yarragon Textile Mills (Moe)—being rebuilt after fire.

1961—Great Eastern Brick (Traralgon).
Pyneboard (Gippsland) Pty. Ltd. (Rosedale).

1962—Nil.

1963—Pioneer Concrete (Sale).

1964—Don Carr (Wonthaggi).
Coldon Homes (Wonthaggi).
T. S. Gill (Morwell).
Paddle Bros. (Morwell).
Whispees (Moe).

1965—Tricotex (Morwell).
Dowd Associates (Warragul).

1966—J. Robins (Traralgon).

(*b*) None of these industries has closed.

DECENTRALIZATION ADVISORY COMMITTEE: SURVEY OF TOWNS.

The Hon. H. A. HEWSON (Gippsland Province) asked the Minister of Agriculture—

(*a*) How many towns throughout Victoria have been surveyed by the Decentralization Advisory Committee under the Division of State Development.

(*b*) Does the committee intend to survey any more towns; if so—(i) to what extent will the Government give financial and advisory technical support to the selected towns; and (ii) when will a report be made, and to whom will it be made available?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) The 27 places with a population count of more than 5,000 as at the 1961 census have been visited, either by the committee as a whole or by individual members so delegated under the Act.

Whilst the committee is loath to extend the scope of its visits outside this group, it is willing to consider invitations from places with a lesser population count. Under this policy, Clunes and Kyneton also have been visited.

(*b*) Not unless sufficient reason can be advanced by a particular place.

(i) Therefore, this question can only be considered after the committee's report has been received and considered.

(ii) About the middle of the present year, when it will be addressed to the Governor in Council in accordance with the provisions of the Act.

HOUSING COMMISSION.

WILLIAMSTOWN FLATS: FIRE OFFICER'S REPORT: PROTECTIVE MEASURES.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Housing—

(*a*) Has his attention been drawn to the district fire officer's report of the fire which occurred at the Housing Commission residential flats at 96 Cecil-street, Williamstown, on the 16th February last?

(*b*) In view of the report is it proposed to build emergency fire escapes on future buildings; if not, why?

(*c*) Does the Commission intend to carry out the district fire officer's recommendations with regard to protective measures at 96 Cecil-street, Williamstown?

The Hon. L. H. S. THOMPSON (Minister of Housing).—The answers are—

(*a*) Yes.

(*b*) It is normal practice for the Commission in the erection of flats to provide means of egress which conform to the fire escape requirements of the Uniform Building Regulations.

(*c*) This matter is under discussion with the Metropolitan Fire Brigade.

ERECTION OF HOUSES IN BENDIGO AREA: LOCAL MATERIALS AND MANUFACTURERS.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Housing—

(*a*) How many Housing Commission homes have been erected in the Bendigo area in the past five years?

(*b*) How many of these homes have been —(i) roofed with locally-produced tiles; and (ii) serviced with locally-produced earthenware pipes?

(*c*) Have local manufacturers been given the opportunity to tender for the supply of roofing tiles and earthenware pipes on all Bendigo area Housing Commission projects; if not, why?

The Hon. L. H. S. THOMPSON (Minister of Housing).—The answers are—

(*a*) 114.

(*b*) (i) and (ii) not known. Contractors constructing Commission houses are required to provide materials of specified quality, but these need not necessarily be locally made.

(*c*) The Housing Commission does not arrange for local manufacturers to tender. Contractors obtain quotes for the supply of roofing tiles and earthenware pipes to specified standards from local manufacturers and elsewhere. Contractors are required to submit prices for both cement and terra-cotta tiles.

ELECTORAL.

JOINT COMMONWEALTH AND STATE ROLLS: ARRANGEMENT WITH COMMONWEALTH.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(*a*) What arrangements exist between the Commonwealth and the State Governments concerning the maintenance of up-to-date electoral rolls, their printing and distribution, and the sharing of the costs involved?

(*b*) What were the annual costs paid by Victoria in each of the past three financial years?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) It is understood that, like Victoria, the States of New South Wales, South Australia and Tasmania have signed joint-rolls arrangements with the Commonwealth of Australia. Details of these arrangements are not known.

So far as Victoria is concerned the arrangement with the Commonwealth was signed on the 30th October, 1952. The arrangement is too long to be quoted here, but it appears in full in the Victorian *Government Gazette* of the 26th February, 1953, at pages 683 and 684. A variation of the arrangement was made on the 17th July, 1957, Victorian *Government Gazette* of the 21st August, 1957 (at page 2822).

Pursuant to the original arrangement, this State was required to pay £900 annually to the Commonwealth to cover the estimated cost of allowance to Commonwealth electoral officials for extra duty in connexion with the preparation of rolls for Legislative Council purposes. This amount was subsequently increased to $2,700 per financial year.

The arrangement with the Commonwealth has been made pursuant to the provisions of section 105 of The Constitution Act Amendment Act 1958.

(*b*) The amounts paid by Victoria in each of the past three financial years towards the cost of joint rolls are as follows:—

Financial year.	Half cost of roll re-prints and forms.	Allowance to Common wealth Officials.	Total.
	$	$	$
1963–64	71,092.26	2,700.00	73,792.26
1964–65	14,359.54	2,700.00	17,059.54
1965–66	55,818.52	2,700.00	58,518.52
1966–67 (incomplete)	66,323.30	..	..

HOSPITALS AND CHARITIES COMMISSION.

HOSPITAL EMPLOYEES: REMUNERATION: HOSPITAL DEFICITS AND BANK OVERDRAFTS.

The Hon. A. K. BRADBURY (North-Eastern Province) asked the Minister of Health—

(*a*) What will be the over-all cost of the recent salaries and wages increases to hospital employees for the remainder of this financial year in respect of—(i) trainee nurses; (ii) marginal increases; and (iii) shift allowance increases?

(*b*) What will be the cost of these for a full financial year?

(*c*) How does the Government propose to meet this increase in expenditure in the current financial year?

(*d*) What were the actual deficits of all hospitals at the end of the 1965–66 financial year?

(*e*) What are the anticipated deficits of hospitals at the end of the 1966–67 financial year, including the recent increases?

(*f*) What was the total of bank overdrafts of all hospitals at 30th June, 1966, and 31st December, 1966, respectively?

The Hon. V. O. DICKIE (Minister of Health).—The answers are—

(*a*) The over-all cost of recent salaries and wages increases to hospital employees for the remainder of this financial year is—

	$
(i) trainee nurses	368,000
(ii) marginal increases ..	435,000
(iii) shift allowance increases ..	260,000
	1,063,000

(*b*) The cost of these for a full financial year will be—

	$
(i) trainee nurses	1,030,000
(ii) marginal increases ..	1,000,000
(iii) shift allowance increases	520,000
	2,550,000

(*c*) This matter is under consideration by the Government at present.

(*d*) The net total deficits of all public hospitals for the 1965–66 financial year amounted to $2,012,499. Details of the deficit or surplus in respect of each such hospital were published in the last annual report of the Hospitals and Charities Commission presented to Parliament in December last year.

(*e*) Not all hospitals have lodged with the Hospitals and Charities Commission financial returns to the 31st December, 1966, and until all such returns have been received, examined and discussed with the hospitals, it is not practicable to make an informed estimate of the anticipated deficits at the end of the 1966–67 financial year.

(*f*) At the 30th June, 1966, the total net bank overdrafts of all hospitals was $6,301,456. Complete information as to the position at 31st December, 1966, has not yet been supplied to the Commission, and until all returns have been received I will not be able to answer this question.

POLICE DEPARTMENT.

ESTABLISHMENT OF STATION AT NORTH ALTONA.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

Have negotiations been completed with regard to the purchase of land for the establishment of a police station at North Altona; if so, when is it proposed to build the station?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The Public Works Department has been requested to negotiate for the purchase of a suitable site at Altona North for the establishment of a police station. Subject to the availability of funds, it is anticipated the new station will be erected during the financial year 1968–69.

FISHERMAN'S BEND AERODROME.

EFFECT OF LOWER YARRA CROSSING.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

Will the Lower Yarra Crossing and associated roads encroach on the land used for the aerodrome at Fisherman's Bend; if so,

will the Government take steps to have this area of centrally situated land reserved for use by provincial and charter aircraft?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The Metropolitan Planning Scheme has since 1954 shown a main road reserve, known as Route 9, across the southern extremity of Crown land at Fisherman's Bend at present occupied under the provisions of the Port Melbourne (Aircraft Agreement) Act 1937 by the Commonwealth Aircraft Corporation Pty. Ltd. and the Commonwealth Department of Supply for the purpose of a landing ground and testing field for aircraft. The Lower Yarra Crossing and its approaches will follow the general line of the road reservation. The Government understands that the Department of Civil Aviation intends that intrastate and charter aircraft will use Essendon Airport after the construction of the Tullamarine jetport and the construction of the Tullamarine freeway will give convenient access to the city area.

FARM WATER SUPPLY PROJECTS.

ADVICE AND SERVICES TO LANDHOLDERS.

The Hon. H. A. HEWSON (Gippsland Province) asked the Minister of Agriculture—

Has the Government any technical advisors to advise farmers on the construction of farm dams and water storages; if so—(i) how many; (ii) in what areas are they operating; and (iii) what is the cost to the landowner?

The Hon. G. L. CHANDLER (Minister of Agriculture).—As the answer to this question is lengthy, I ask for leave to have it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:—

The Soil Conservation (Water Resources) Act 1965 (No. 7265) authorized the Soil Conservation Authority to provide an advisory service to landholders with respect to the development and use of the water resources available to them and, with the approval of the Minister, to determine what fees or charges should be made for any service.

Since then, the Authority has appointed an engineer to organize such a service, to be responsible for providing the professional advice on the more difficult, complicated or large projects and to be responsible for the technical standards of all advice provided with respect to farm water supply. The Authority is currently advertising for another engineer. In addition, the conservation engineers of the Authority are providing advice to landholders on farm water supply projects which do not fall into the category outlined above.

Furthermore, field division officers are continuing to provide advice on small projects such as ordinary farm dams of relatively small capacity or water conservation which forms an integral part of the planning of erosion control works. This is a service which has been provided by these officers for many years. In addition, the State Rivers and Water Supply Commission has an engineer to look after its statutory interests with respect to farm water supply matters throughout the State.

The answers to the particular points raised are as follows:—

(i) (*a*) Soil Conservation Authority.—

One farm water supply engineer, and one vacancy.

Three conservation engineers part-time on farm water supply work, and two vacancies.

Fifty-five field division officers part-time on minor farm water supply projects.

(*b*) State Rivers and Water Supply Commission.—One engineer.

(ii) (*a*) Soil Conservation Authority provides a service throughout the State except for landholders within irrigation districts.

(*b*) State Rivers and Water Supply Commission provides a service throughout the whole State.

(iii) (*a*) Soil Conservation Authority.—There is no charge for the kind of inspection and advice given by field division officers, but for advice by engineers on the more complicated projects, the following scale of charges operates:—

Preliminary engineering investigation by Farm Water Supply Branch (survey and preliminary report)—$20.

Detailed investigation by Farm Water Supply Branch (detailed survey, preparation of plans and specifications)—5 per cent. of estimated cost (minimum charge $20).

(*b*) State Rivers and Water Supply Commission.—No charge.

MELBOURNE HARBOR TRUST.

GREENWICH BAY, WILLIAMSTOWN: DEPTHS OF WATER: SILTATION AND STENCH.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

(*a*) What are variable depths of water in Greenwich Bay, Williamstown, at high tide and low time from the coastline to the bay's boundaries, and how have these depths varied over the past ten years?

(*b*) Does the Melbourne Harbor Trust propose to carry out any measures to stop the siltation and stench which are now evident in Greenwich Bay?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

Melbourne Harbor Trust records show that reclamation of Greenwich Bay, which was situated on the Newport side of the Yarra river in an area immediately upstream from the Williamstown steam ferry, was commenced in the year 1878 and completed in the early 1900's, the area now forming 3 and 4 oil berth, Newport, part of the Shell and Ampol oil depots in this area and part of Douglas-parade.

The Hon. A. W. KNIGHT.—The question has not been answered.

The PRESIDENT (the Hon. R. W. Mack).—It does not seem to me that the Minister has answered the question on the Notice Paper. However, it is for the honorable member to take the matter further if he wishes to do so.

SCHOOL DENTAL SERVICE.

VISITS OF UNIT TO LATROBE VALLEY.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Health—

How often did the school dental unit visit schools in the Latrobe Valley during each of the past three years, what schools were visited, and what service was given?

The Hon. V. O. DICKIE (Minister of Health).—The answer is—

It is the policy of the Department of Health to provide a dental service for school children in country districts which are located 20 miles or more from the nearest dentist in private practice. Mobile dental units carry out annual visits to schools in the more remote areas of Gippsland which are at least 20 miles from private dental practices but these schools are all located outside the Latrobe Valley area.

UNIVERSITIES.

APPLICATIONS FOR ADMITTANCE: REJECTIONS.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) How many matriculated students applied to enter Melbourne, Monash, and La Trobe universities this year?

(*b*) In each case, how many students were turned away, giving the university and the total rejections, and the total for each faculty?

(c) How do these figures compare with those for the years 1963, 1964, and 1965?

The Hon. G. L. CHANDLER (Minister of Agriculture).—Inquiries indicate that there is no prospect of these figures being available during the current session.

TRANSPORT REGULATION BOARD.

ALTONA BUS SERVICES.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

Have any applications been made for extensions to the present bus routes at Altona and Altona North; if so, have these applications been granted; if not, what were the reasons for refusing to grant such applications?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

There are no pending applications for extension of service at Altona. The last application for extension was for a shopper service—Monday to Friday, two trips in either direction—between Laverton and Altona. This application was granted by the Transport Regulation Board and service commenced February, 1966.

An application for extension of service to North Altona has been lodged and is awaiting public hearing. This is for an extension of the Newport–West Newport service from the corner of Mason and McIntosh streets to the corner of Bunting-court and Chambers-road via Mason-street, Millers-road and Bunting-court. The granting of this application has been objected to by the operator of the Altona–Footscray service which operates via Altona North. The application is to be heard at the Board's offices on 29th March.

ELMORE RACING CLUB.

FUTURE ACTIVITIES.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

Has the Government or any Government instrumentality made any decision regarding the future of the Elmore Racing Club; if so, what decision?

The Hon. G. L. CHANDLER (Minister of Agriculture).— The answer is—

No. The future of the Elmore Racing Club lies with the club. The Racecourses Licences Board has suggested to the Elmore Racing Club the desirability of reaching an agreement with the Rochester Racing Club to race on one course. To date no agreement has been reached but no action to compel the clubs to come to agreement is contemplated.

BUSINESS OF THE HOUSE.

DAYS AND HOURS OF MEETING.

The Hon. G. L. CHANDLER (Minister of Agriculture).—By leave, I move—

That so much of the sessional orders as provides that the hour of meeting on Tuesdays shall be half-past Four o'clock and on Wednesdays Four o'clock, that on Wednesday in each week private members' business shall take precedence of Government business, and that no new business be taken after half-past Ten o'clock be suspended and that for the remainder of the session the hour of meeting on Tuesdays shall be Four o'clock and on Wednesdays half-past Two o'clock and Government business shall take precedence of all other business.

I wish to indicate to those members who have private members' Bills on the Notice Paper that, if they desire to proceed with them, I shall meet their convenience.

The motion was agreed to.

EDUCATION DEPARTMENT.

PURCHASES OF LAND: REPORT OF BOARD OF INQUIRY.

The Hon. G. L. CHANDLER (Minister of Agriculture) presented the report of the Board of Inquiry into the resumption, acquisition and purchase of land for the purposes of the Education Act 1958.

It was ordered that the report be laid on the table.

POLICE OFFENCES (OBSCENE PUBLICATIONS) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

POLICE REGULATION (PENSIONS) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

Honorable members will recall that in 1963 legislation was introduced to make it possible for serving members of the Police Force to contribute to the State Superannuation Fund instead of to the Police Pensions Fund. One of the major attractions was the superior range of benefits available to widows under the State Superannuation Fund compared with those offering under the Police Pensions Fund. Members of the Police Force were given a period of three months from 1st February, 1964, in which to make up their minds whether they would remain under the old system or transfer to the State Superannuation Fund.

Representations were made that, as a number of members were having difficulty in reaching a decision, an extension of time should be granted. Consequently, the period of election was extended to the 31st December, 1964. Within the period of three months to the 1st February, 1964, 3,874 members of the Police Force elected to transfer to the State Superannuation Fund, and a further 52 members reached a similar decision by 31st December, 1964. This left 400 members in the old scheme.

Discussions have taken place with these members on ways and means of improving the system of widows' pensions, which range from $4.80 a week upwards; they average about $7 a week. The major alteration provided in the Bill will enable members of the Force to elect, not more than six months nor less than three months before retirement, to transfer certain of their pension benefits to their wives should they predecease them. If they so elect, certain requirements will have to be observed. The widow will not be entitled to receive more than five-eighths of the

total pension that the member of the Force would receive. Secondly, the member will have to submit himself to a medical examination.

The Hon. J. M. TRIPOVICH.—Why is that necessary? Why not take the risk?

The Hon. L. H. S. THOMPSON.—This was the particular form recommended by the Government Statist. It is a particularly complicated system of superannuation. There are two main qualifications.

The Hon. J. M. TRIPOVICH.—What if the wife dies first?

The PRESIDENT (the Hon. R. W. Mack).—The honorable member will have an opportunity to make his own second-reading speech in due course.

The Hon. J. M. TRIPOVICH.—I suggest that the Minister should explain the Bill.

The Hon. L. H. S. THOMPSON.—The matter will be referred to the Government Statist, who will then recommend the extent of increase of the widow's pension and the amount of reduction in the serving member's pension. I have briefly outlined what the Bill provides. There are three qualifications—the medical examination, the limit of the widow's pension to five-eighths of the total of the contributor's entitlement, and the reference to the Government Statist.

The Hon. J. M. TRIPOVICH.—The Minister does not consider this Bill to be just, does he?

The Hon. L. H. S. THOMPSON.—I think it is an improvement on the existing situation.

The Hon. J. M. TRIPOVICH.—Only on the widow's pension if her husband dies first.

The Hon. L. H. S. THOMPSON.—That is one improvement. Under the second improvement, it will be possible for the first time for a wife to elect to receive either a gratuity in full or in part. In the past, it has been possible for a widow to receive either a lump sum payment in lieu of a pension, or the pension itself. It has not been possible to receive a lump sum in respect of part of the pension and to receive the balance of the pension in the normal way. The proposal is attractive because frequently by making such an election the person concerned will be able to receive full social service benefits.

A further existing restriction is that when a widow elects to take a lump sum instead of a pension she is not entitled to more than one-twelfth of the total amount received by her husband for every completed year of service or an amount in excess of the proportionate amount that her husband would have been entitled to receive under the pension, whichever is the lesser.

The Hon. J. M. TRIPOVICH.—This is a grudging, niggardly Bill.

The Hon. L. H. S. THOMPSON.—The honorable member has made that point very well. He has, however, missed the point that this is a restriction that will be abolished under the Bill.

The Hon. J. M. TRIPOVICH.—What happens if the widow dies?

The PRESIDENT (the Hon. R. W. Mack).—Order! I have reminded the honorable member that he will have an opportunity to make his complaints at a later stage. I do not want to interrupt when the honorable member asks a reasonable question, but he cannot make a second-reading speech while the Minister is making his.

The Hon. L. H. S. THOMPSON.—The change that is being made is to remove this restriction of whichever is the lesser and to allow the Police Superannuation Board to make the final decision. Previously, the decision was made by the Governor in Council after considering a report from the Board. That restriction, which the Government considers unfair and unnecessary, is being removed. Secondly, there is the restriction which prevents a widow from taking part of the pension and a lump sum in return for the other part. This is also being

removed, so that the widow may make her own financial arrangements and possibly qualify for a social service pension. The Bill may not go as far as some people would wish, but the changes that are being introduced are certainly improvements on the existing system. I commend the Bill to the House.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

THE GEELONG GAS COMPANY'S BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

This is a short but nevertheless important Bill, the purpose of which is to raise the borrowing powers of the Geelong Gas Company from $1,500,000 to $4,000,000 for the purpose of utilizing natural gas. The method of doing this is by amending the Geelong Gas Company Act 1956.

The additional money made available by the authorized increase in borrowing powers will enable the company—

(*a*) to convert appliances from the burning of manufactured gas—an 83 per cent. mixture of refinery gas and 17 per cent. coal gas—to natural gas for 22,000 consumers;

(*b*) to improve the reticulation system in the Geelong area to more efficiently utilize natural gas; and

(*c*) to enable an expansion of the availability of natural gas to commercial and industrial enterprises within the company's franchise area.

The Geelong Gas Company is a progressive organization. In the four years 1961 to 1965 the number of customers increased by 8.5 per cent. and gas sales by 23 per cent. Indications are that this expansion will continue and should be even greater following the introduction of natural gas.

The clauses in the Bill are simple and self-explanatory, and I am sure honorable members do not wish me to explain them in detail. I commend the Bill to the House.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

MELBOURNE UNIVERSITY (AMENDMENT) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

This short Bill makes a number of changes to the administrative structure of the University of Melbourne and also deals with some unrelated matters. First, it alters the membership of the university; secondly, it provides for the appointment of a Deputy Vice-chancellor and a Vice-principal; thirdly, it changes the title of Vice-chancellor to Vice-chancellor and Principal; fourthly, it enables the council of the university to delegate authority to committees appointed by the council; fifthly, it allows free places to be granted to persons undertaking the course for articled clerks; and, finally, it enables loans to be granted to students between the ages of 18 years and 21 years.

As the principal Act stands, convocation consists of all graduates of the University of Melbourne. Thus, graduates of interstate universities are not qualified as members of the Melbourne university and have no voting rights. The new definition contained in clause 2 of the Bill rectifies this state of affairs and

enables interstate graduates to be placed on the same basis as graduates of the University of Melbourne.

The great growth of the university over recent years has led to certain changes in the top administration. For example, a Deputy Vice-chancellor has been appointed. He deals largely with staff matters, including the appointment and promotion of staff, and possibly their transfer from one part of the university to another. A Vice-principal has also been appointed, who is responsible for matters relating to the business side of university life. This system has worked very well, and it has taken some of the heavy burdens off the shoulders of the Vice-chancellor. All the Bill does is to give official recognition to the appointment of these officers. As a further consequential change following the creation of these positions, it is considered desirable to change the title of the Vice-chancellor to that of Vice-chancellor and Principal. This is a slightly unwieldy title, but it more accurately describes the office.

The work of the university council is largely based on the functioning of committees, which are appointed to investigate various aspects of university life and to administer certain responsibilities that otherwise the council itself would have to control. directly. For example, there is a building committee, which plans for the future growth of the university and makes recommendations for the allocation of finance for buildings on a priority basis. That committee reports back regularly to the council and its recommendations are either accepted or rejected by the council as a whole. This measure gives official recognition to the functioning of these special committees.

At present, it is not possible for free places to be granted to students undertaking the course for articled clerks at the University of Melbourne in the same way as it is possible for free places to be granted to other students. This situation was thought to be anomalous, and the matter is rectified by clause 5, which proposes that a new paragraph shall be substituted for the existing paragraph (*f*) of sub-section (1) of section 33 of the principal Act. In future, it will be possible for articled clerks to undertake courses at the University of Melbourne without payment of fees for lectures or examinations. The proposed new paragraph specifies that "60 other persons" shall be nominated in each year by the Minister, and, before being so nominated, they must have passed certain examinations. These free places do not cover living allowances or fees to the Students Representative Council, but they do cover tuition.

Finally, it has been the practice of the University of Melbourne to make loans to students. One of the objects has been to provide a good student, who comes from a home where there is a dearth of money, with a living allowance or to enable him to pay his fees at the beginning of the year. This practice has worked well and has not caused any embarrassment, but, on the other hand, it has given valuable help to deserving students. A doubt has arisen as to the power of a student who is over the age of 18 years and under 21 years to enter into a binding contract for repayment of the loan. All that clause 6 does —it provides for a new sub-section (3A) to follow sub-section (3) of section 36 of the principal Act—is to remove this legal doubt. I commend the Bill to the House.

On the motion of the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of postponed clause 13, providing, *inter alia*—

Section 79 of the principal Act shall be amended as follows:—

. . . . .

(*f*) After sub-section (6) there shall be inserted the following sub-sections:—

"(7) For the purposes of this Act, sliced bread contained in a package shall be deemed to be a loaf.

(8) Any package (other than a package which is unmarked and is wholly transparent) containing a loaf shall be plainly marked in such manner as may be prescribed with a statement of the denomination of such loaf."

The Hon. R. J. HAMER (Minister for Local Government).—When this clause was being considered last week, I moved—

That, in proposed new sub-section (8) of section 79 of the principal Act, as contained in paragraph (*f*), the expression "(other than a package which is unmarked and is wholly transparent)" be omitted with the view of inserting the expression "(except a wholly transparent package containing an unsliced loaf)".

There was some criticism of the wording of the amendment and, I think, some lack of lucidity in my explanation of it, so by leave of the Committee the amendment was withdrawn and the clause was postponed to enable further consideration to be given to the matter, which relates to bread in transparent wrapping.

The purpose of the amendment was laudable; it attempted not to penalize a person who elected to wrap a whole loaf—that is an unsliced loaf—in a transparent wrapper. Sliced bread must be marked, anyway. It was considered that, rather than discourage people, the Government ought to encourage them to wrap bread and not place them in any worse position thereby.

In view of the statements made in Committee—with which, on consideration, I agree—I now move—

That the expression "(other than a package which is unmarked and is wholly transparent)" be omitted.

The effect of this will be that any bread which is wrapped will have to be marked in the prescribed way, whether it is sliced or unsliced. This will simplify the clause and not impose undue penalties. Once a wrapper is provided, it is reasonably easy for it to be marked in some way on the outside showing the weight of the loaf. This is the easiest way in which to remove possible doubts in the minds of people reading the Act.

The Hon. H. A. HEWSON (Gippsland Province).—I should like to record my thanks to the Minister for the consideration he has shown throughout the debate. Earlier in the discussion, I stated that members had been given a wonderful opportunity to study the different clauses. This is one clause to which I took exception, and the action taken by the Minister will meet my objection. Proposed new sub-section (8) will now read—

Any package containing a loaf shall be plainly marked in such manner as may be prescribed with a statement of the denomination of such loaf.

The amendment was agreed to, and the clause, as amended, was adopted.

The Bill was reported to the House with amendments, and passed through its remaining stages.

EDUCATION AND TEACHING SERVICE (AMENDMENT) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

This Bill makes a number of desirable amendments to the Education Act 1958 and to the Teaching Service Act 1958. The first proposed amendment creates for the first time in Victoria a Director-General of Education together with Directors of Primary, Secondary and Technical Education.

The States of South Australia, Queensland and New South Wales have used these terms for a number

of years to describe their top education officials. In Victoria, the terms Director of Education and Chief Inspectors of Primary, Secondary and Technical Schools have been used. The new terms more accurately reflect the positions that these officers hold and place them on the same basis in relation to status as their counterparts in other States.

The second amendment, contained in clause 4, deals with an entirely different matter. At present, there are three representatives from the University of Melbourne on the Council of Public Education. It is felt desirable to reduce the representation of that university to one member and to provide for representatives of the Monash and La Trobe universities and of the Victoria Institute of Colleges. The Council of Public Education is the body under the Education Act which deals with the registration of teachers and the registration of schools, and acts as the watchdog of our educational standards. In view of the importance of its function, it was thought advisable to give our various tertiary institutions representation on that committee.

The same principle has been adopted in clause 5 in relation to the Council of Adult Education, and for the first time representatives of the Monash University, the La Trobe University and the Victoria Institute of Colleges will be placed on the Council of Adult Education.

The last change, introduced by clause 6, which substitutes a new section for the existing section 64 of the Education Act 1958, clears up a query raised by the Crown Solicitor. For many years, it has been the practice of the Education Department to use a zoning system under which pupils living in certain areas attend certain schools. Children have been directed to various schools according to the localities in which they have lived. The query raised by the Crown Solicitor was whether the power to refuse to admit children to certain schools also gave the right to refuse to re-admit to a certain school.

In other words, if a child had started at a primary school 3 or 4 miles away, and another school was established close to the child's home, did the Department have power to refuse to re-admit him to the school he had been attending for the purpose of sending him to the school nearer his home? No change in policy is contemplated. The proposed amendment merely clears up this query raised by the Crown Solicitor, and it is the intention that the existing practice shall be followed.

The Hon. I. R. CATHIE.—Will this apply to junior and senior high schools if the proposal for the establishment of senior high schools is implemented?

The Hon. L. H. S. THOMPSON.—This matter has no relation to that subject.

The Hon. I. R. CATHIE.—"State schools" include secondary schools.

The Hon. L. H. S. THOMPSON.—Yes. This is applicable to secondary and technical schools. The clause springs from the query of the Crown Solicitor and has no direct relationship to the proposal in which Mr. Cathie is interested and which is being considered at present by the Education Department. I commend the Bill to the House.

On the motion of the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

ZOOLOGICAL GARDENS BILL.

The debate (adjourned from February 28) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—I have no desire to make a monkey out of the Government by dealing at length with this

Bill; the Government is quite capable of doing that without assistance from the Opposition. As a matter of fact, Government members are past masters in monkey tricks. In considering the Bill, I should like to direct the attention of honorable members to the wonderful film, *Born Free,* which is currently showing in Melbourne and meeting with an exceptionally good response. The film relates to a lioness which, being born free, can wander and roam in its natural habitat with consequent happiness and contentment.

Whether civilized communities should have zoos is a big question. Is it a form of barbarity which should have been abolished long ago? Is it essential for the education of our children that they should be able to look at animals which are cooped up in cages? Admittedly, certain improvements have in recent years been made to the Zoological Gardens. This has resulted in some of the animals being given more freedom of movement and enables them to move in conditions which resemble their natural habitats much more closely than in the past. I hope that work of this type will continue in the future. However, the whole area seems to be claustrophobic, and every time I visit the Zoological Gardens and see the animals cooped up in their cages, I feel sorry for them. It is a form of cruelty concerning which early action should be taken in an effort to make the lives of the animals more pleasant.

It could be argued that the animals are better looked after in a zoo than in the wide open spaces. Once again, I direct the attention of honorable members to the film, *Born Free,* which is well worth seeing. No matter what risks may be involved, it is sometimes better to be born free than to be kept in captivity for a life-time and told what to eat and what to do. If animals which are free meet an early death, at least while they live they enjoy life to the fullest extent.

The object of the Bill is to re-enact the Zoological Gardens Act 1936 in a more modern form. The proposed reframing of the Act is sensible as some of the provisions of the existing legislation are archaic. It is hoped that the new legislation will work satisfactorily and enable those who administer the Zoological Gardens to do so more efficiently in the future. The Labor Party wishes the Zoological Board well in its task; it also wishes the animals and the birds well.

Sir PERCY BYRNES (North-Western Province).—The Country Party has no objection to the Bill. I agree that it is necessary to modernize the legislation under which the zoo is maintained. It is proposed not only to reconstitute the Zoological Board, but also to bring up to date various provisions in the legislation which relate to money. I refer to the monetary provisions relating to employees appointed to the staff of the zoo, to works undertaken by the Board, and to penalties which may be imposed on persons who damage property at the zoo. Money has lost its value, and in almost every important Bill which comes before Parliament there appears a clause bringing the monetary provisions up to date.

The proposed new constitution of the Zoological Board appears to be satisfactory. Certainly, the Director of Fisheries and Wildlife, who is a capable man who has devoted a life-time of study to the problem of wild-life in Victoria, should be a member of the Board. I do not understand why it is necessary for the Director of the National Museum to be appointed to the Board, although there must be some reason for it. Nine other persons possessing the appropriate scientific or administrative qualifications will be appointed to the Board by the Governor in Council. That is a

rather wide provision. Almost anybody, including a member of Parliament, could be appointed to the Board, and those who are appointed will receive a free pass.

This Bill aroused some controversy in another place, but I hope a similar situation will not arise here. Over the years, there has been criticism of the manner in which animals and birds have been kept in the Zoological Gardens. Although I have not visited the zoo for some time—I used to visit it frequently with my children, and later with my grandchildren—I understand that considerable improvements have been effected. Much good work has been done, but a good deal remains to be done. If it is proposed to keep animals in captivity, the least we can do for them is to ensure that they are kept in suitable surroundings which provide them with a maximum amount of comfort. I do not think conditions at the zoo are really bad, but we should always be seeking for ways to improve them.

Very few people have the opportunity of visiting such places as the Kruger National Park in South Africa where animals run wild over an area which is almost as large as Victoria. I spent an enjoyable week driving through this park where the various animals live in their native environment.

The Hon. W. R. GARRETT.—You need to be a wealthy farmer to visit such places.

The Hon. D. G. ELLIOT.—Or a company director!

Sir PERCY BYRNES.—I do not know whether there are any wealthy farmers, especially having regard to the heavy taxation imposed on them by the Government in recent years and the steep increases in rates and the like.

The PRESIDENT (the Hon. R. W. Mack).—Order! I hope Sir Percy does not propose to argue that point during the debate on this Bill.

Sir PERCY BYRNES.—No, Mr. President; I was simply replying to an interjection. With another member, I visited the Kruger National Park, entirely at my own expense. In fact, we deemed it our duty to visit this show-piece, which is really worth seeing. It is interesting to see what our South African friends are doing by way of keeping animals in their natural environment and maintaining a balance between the different animals—the lions, antelopes and various other species. Unfortunately, all honorable members cannot visit South Africa to see this.

Victoria should have some open place where wildlife can live free and unfettered. This would be far more valuable than keeping animals in a zoo. After all, youths aged sixteen years and upwards seem to own motor cars of some sort to-day, and almost everyone is able to travel around the State much more than was possible in the past. Much more could be done for animals in captivity to provide surroundings which approach their natural habitats than has been done in the past, and more money should be made available for this purpose.

It was pleasing to note in to-day's newspaper that splendid advancement has been made in creating a national park at Kiata, which is in the province represented by Mr. Mansell and me, where mallee hens may live in their natural environment. Native wild flowers are also encouraged at this sanctuary, which is a lovely place. I congratulate the Government on having extended the park which has been there for some time. It is a credit to the people of Kiata who, under the leadership of a gentleman named Mr. Hateley, undertook the actual work involved. It has been a great pleasure to visit Kiata, where an annual flower show is held, to see the wild flowers on display.

The Government and the people are responsible for developing and maintaining our national parks and

preserving the heritage that we have for the future. Even an area consisting of only a few acres of Mallee scrub could prove beneficial to future generations. If the present trend continues, there will be very little beauty left in the Dandenongs in 50 years' time. Every effort should be made to preserve the beauty spots of the State. My party supports the Bill.

The Hon. P. V. FELTHAM (Northern Province).—I should like to direct the attention of the Minister of Health to a provision in clause 6 relating to the circumstances under which a member of the Board shall cease to be a member. The provision to which I refer is one which seems to be common to all Acts of Parliament under which boards are appointed. I wonder whether the provision is not now a little archaic; perhaps it should be examined before it is automatically incorporated in future enactments.

I refer to the provision under which a member of the Board shall cease to hold office if he compounds with his creditors within the meaning of any law relating to bankruptcy, or if he becomes bankrupt. It should be appreciated that members of the Zoological Board will perform their duties for no emolument or reward. I point out that compounding with creditors or becoming bankrupt does not necessarily involve any moral turpitude. If a man fails in his business and is unable to meet his debts when they become due, he has a duty to compound with his creditors or to petition for his own bankruptcy. In those actions, no moral turpitude of any sort may be involved.

Clause 6 contains a general provision that a person appointed to the Board may be removed by the Governor in Council in the circumstances I have outlined, but I assume that any such action would be taken only in the event of some failure by him as a director, or as a member of the Board, or some turpitude on his part. A provision that he shall automatically cease to be a member of the Board because he compounds with his creditors is, in my view, an archaic provision which is automatically inserted by the draftsman. Where it is a requirement that a member of a board shall possess considerable business ability or financial status, there may be some slight necessity for such a provision, but in the case of a board which is really an advisory board helping to run the zoo, it is, in my opinion, out of date to provide that a man shall automatically lose his office if he carries out what may be a legal duty of compounding with his creditors because he cannot pay 100 cents in the $1.

The Hon. G. J. NICOL (Monash Province).—Once again, I cannot resist directing attention to the regulation-making powers which are incorporated in this Bill. I refer particularly to paragraph (*f*) of subclause (1) of clause 17. I realize that the question of regulation-making powers in general has been referred to the Subordinate Legislation Committee for investigation and report, but it will be some time before the report is available. In my view, the words "or necessary or expedient" should be omitted from such clauses, and I urge the Government to consider this when drafting future legislation.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Repeal of Act No. 4431).

The Hon. V. O. DICKIE (Minister of Health).—I shall refer to the specific matters raised by Mr. Feltham and Mr. Nicol when the appropriate clauses are under discussion. In general, I thank honorable members for their support of the general consolidation of the original Act of 1936. As the Minister in charge of tourism in this State, when I visited the Zoological Gardens prior to

Christmas as a guest of the Board I was amazed at the remarkable improvement that had taken place in twenty years since I had last visited there. A great deal of money has been spent on modernization, and the number of people visiting the zoo is increasing each year.

It is an interesting exercise sometimes to assess who does in fact visit a zoo. As a matter of interest, on two occasions when my family and I visited Sydney, we took the ferry trip across the harbor to Taronga Park, and on both occasions I enjoyed meandering around the Sydney zoo. It must be expected that, in return, people from other States and from overseas do visit the zoo in Melbourne. The Board should be commended for what it is doing. Irrespective of the varying opinions on the value of zoos and of animals and birds being confined, zoos are an attraction in a city. If a zoo is to be maintained, it should be developed to the stage where it can be said that animals and birds are able to live in comfortable conditions. I have taken a particular interest to see what goes on in a zoo, and I have visited the Taronga Park Zoo twice in the past three years. Although no account is taken of those who pass through the gates, it would perhaps be surprising to learn where the visitors do come from.

The clause was agreed to, as were clauses 3 to 5.

Clause 6 (Disqualification).

The Hon. V. O. DICKIE (Minister of Health).—I appreciate the remarks of Mr. Feltham. I thought this provision had been taken directly from the old Act, but I find that it is an entirely new provision. I assure Mr. Feltham that his observation in regard to future legislation including a provision that a person may be disqualified if he compounds with his creditors within the meaning of the law relating to bankruptcy will be considered. At this stage, I see no reason why it should be omitted from this Bill. In the future, the Government will most certainly take notice of what has been said if the need again arises for the inclusion of a similar provision in other legislation.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I do not wish to comment on the points raised by Mr. Feltham, although I am in complete agreement with him in that regard. This body is one of corporate succession, but there is no provision in the Bill to disqualify any Board member who enters into contracts with the Board. Works are carried out by contract for the Board, but there is nothing to disqualify a member of the Board from carrying out such contracts.

The Hon. V. O. DICKIE (Minister of Health).—Admittedly, there does not appear to be any such provision contained in the Bill. Undoubtedly, contracts are undertaken for the Board, but I am wondering whether this matter would really arise in the case of a Board such as this.

The Hon. SAMUEL MERRIFIELD.—Provision is made for the appointment of five persons possessing appropriate scientific or administrative qualifications, and a person who runs a business could be said to possess administrative qualifications.

The Hon. V. O. DICKIE.—In view of the type of persons likely to be appointed to this Board, it would be most unusual if any of them would, at any time, have a personal interest in any building contract with which the Board would be concerned. Although I can see such a difficulty arising in other fields, I cannot imagine it occurring here.

The Hon. SAMUEL MERRIFIELD.—Architects and builders can have administrative experience, as can a supplier.

The Hon. V. O. DICKIE.—I very much doubt whether such a position would arise, but if that should happen at any time, the Government could

consider the matter further in the light of the circumstances, and, if necessary, introduce amending legislation.

The Hon. D. G. ELLIOT (Melbourne Province).—Mr. Merrifield is a former member of the Zoological Gardens Board, and he has raised a point which has been ignored by the Minister. The Government has gone to a great deal of trouble to debar people who compound with their creditors or who become bankrupt, and it is also important that a member of the Board may not seek profit or gain in some shape or form through being a member of the Board. A member may be a supplier, an architect, an earth moving contractor, or anything like that. It is all very well for the Minister to say that this could not happen in this case. The circumstances envisaged could arise, and that is why this matter should be considered. It should be made absolute that any person connected with the Board shall not be in a position to receive any profit therefrom.

The Hon. V. O. DICKIE (Minister of Health).—This could be carried on *ad absurdum*. A similar question could be raised in reference to members of university councils or other bodies. If the provision suggested were included in this Bill, the ramifications of appointments to any board whatsoever under other legislation would have to be considered.

The Hon. SAMUEL MERRIFIELD.—The Government has included similar provisions in other legislation.

The Hon. V. O. DICKIE.—This has been done only in particular cases. I can bring readily to mind only the council of the Melbourne university. Contracts in which architects and builders could be vitally interested must be let by a university. If this Bill were amended to include such a provision, the Government would have to look closely at provisions in other legislation relating to appointments, and not just pick out this Bill and include the provision suggested. For those reasons, I have no fears about the point raised by Mr. Merrifield.

The clause was agreed to, as were clauses 7 to 16.

Clause 17 (Regulations).

The Hon. V. O. DICKIE (Minister of Health).—I appreciate the point again raised by Mr. Nicol, who is one of the watchdogs of this particular provision. I think an undertaking has been given by the Government that the whole matter will be looked into. I can only say that I hope that, at the appropriate time, the problem of the regulation-making powers and how they may in fact override our Parliamentary system, will be overcome. In the meantime, I assure Mr. Nicol that notice will be taken of his comments.

The clause was agreed to, as were the remaining clause and the schedule.

The Bill was reported to the House without amendment, and passed through its remaining stages.

RICHMOND (SOUTH-EASTERN FREEWAY) LANDS BILL.

The debate (adjourned from February 28) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. G. J. O'CONNELL (Melbourne Province).—This Bill concerns the proposal by the Melbourne and Metropolitan Board of Works to construct the second stage of the South-Eastern Freeway. In 1959, the Melbourne-Richmond Land Act provided for the first stage of the South-Eastern Freeway, which commenced in Batman-avenue near the new Morell bridge to a point near Loyola-grove, adjacent to Grange-road, or the MacPherson Robertson bridge. Honorable members will recall that Mr. MacPherson Robertson donated this bridge to the State to mark the centenary of Victoria in 1934.

The proposed extension of the freeway will go through portion of the Richmond park known as Survey Park and terminate at a location adjacent to Toorak-road in the City of Malvern, near its junction with Auburn-road in the City of Hawthorn. Therefore, the construction of the freeway will concern four municipalities. The freeway will involve portions of two reservations in the City of Richmond, one being temporarily reserved as a site for public purposes, the other being a permanent reservation for public park and recreation, known as Richmond Park, for which a Crown grant dated 19th November, 1886, was issued in the names of the Board of Land and Works and the Richmond City Council. In the debate on another Bill, much was said about the national park in South Africa and the Taronga Park Zoo, but this area of Richmond contains much history. It was the hunting ground of the famous Aboriginal tribes of Yarra Yarra and Jika Jika. Richmond park contains a tree preserved in perpetuity by the council to mark the spot where the corroborees were held.

This park also contains an area which, in the early days, was used as the first picnic place by the early settlers. The railway first went from Melbourne to Richmond and later to Burnley, and then to a point named Picnic. Later, in 1860, the railway was extended from Picnic to Hawthorn. In 1890, the railway was extended from Burnley through the park to what is now known as Oakleigh. This great area of parkland also contains the old Burnley Horticultural Society gardens of 36 acres, which were established in 1849, and which are still in Richmond Park.

This Bill contains the major part of the proposal submitted by the Richmond City Council to the Melbourne and Metropolitan Board of Works. The original plans of the engineers of the Board were to construct the freeway through the centre of these parklands, which would have meant a considerable loss of recreational lands for the people. I thank the Minister for his courtesy. The council had many meetings on site with the engineers of the Board, and I was also present at a deputation from the council to the Minister for Local Government. The honorable member for Richmond, Mr. Elliot, my colleague representing Melbourne Province, and myself have spoken with representatives of the Richmond City Council, and as they are satisfied, I wish the Bill the speedy passage it richly deserves.

The Minister for Local Government attended a meeting at the Prahran Town Hall when corporations, other bodies and persons interested in the area were invited to lodge objections and give their reasons therefor. I understand that the first suggestion of the Melbourne and Metropolitan Board of Works would have taken large areas from St. Kevin's College and Scotch College. However, a compromise was reached and these two colleges are satisfied with the proposals.

This Bill really represents the third bite of the apple. The extension of the railway in 1890 went through portion of this land. The Boulevard, which runs from the Grange-road bridge to the Hawthorn bridge was constructed in 1934, and this took many acres from the parklands. This road was built in the depression days from unemployment relief funds. The employment situation was so bad in those days that doctors and lawyers could be seen working with the pick and shovel.

The Richmond City Council has constructed a bicycle track in Richmond Park, which cost a considerable sum of money. Could the Minister inform me whether compensation is to be paid to the council so that this bicycle track can be erected in another portion of the park? A quarter of an acre will also be required for a temporary reserve for public purposes near the junction of

Barkley-avenue and Burnley-street. For many years, it has been suggested that the river should be bridged at this point to link up with Williams-road, Prahran. For a long period, a ferry service was conducted at this point at a cost of 1d., later increased to 2d. a trip. In 1930, a temporary bridge was to be placed at Burnley-street. If the project had then been completed, it would have cost only £2,000. In the early 1920's, it was suggested in Parliament that a span should be placed across the river at Victoria-street to connect with Studley Park-road and that another bridge should be constructed at Burnley-street to connect with Williams-road to give access from the north to the south.

I thank the Minister for his courtesy in dealing with this problem. Engineers have the unhappy knack of planning in a straight line, which, if this principle had been adopted at Richmond, would have meant the destruction of large areas of parkland. The present proposal has overcome the difficulties, and the area to be taken will be replaced by land which can be used for other recreational purposes.

Although the project to be authorized by this Bill will relieve much traffic congestion, there is still a traffic bottle-neck at Grange-road. During the morning peak period, the council has to arrange for three lanes inbound and one traffic lane from the city. The position is different at night, but what is proposed will be an improvement. It will cost approximately $16,000,000 to construct the two bridges, which is far in excess of what it cost to construct the Boulevard. We will give the Bill our blessing and hope that the project will be started as soon as possible in order that the problem that exists at Grange-road bridge will be eliminated.

The Hon. A. R. MANSELL (North-Western Province).—After listening to Mr. O'Connell giving his intimate knowledge of this project, the Country Party has no intention of opposing the Bill. In order that the community may progress, it is necessary that this type of work should be undertaken. Over the years, I have noticed how we continue to err in our planning. Our forebears made good plans and constructed wide streets which gave access to the centre of the city. These streets radiated out from the centre like the spokes from the hub of a wheel, but then they stopped and bottle-necks were created. It is proposed to overcome one of these bottle-necks by constructing a further length of the South-Eastern Freeway. To achieve this, it will be necessary to acquire some existing parklands, but they will be replaced by other areas. The Richmond City Council is apparently satisfied that it will be getting a fair deal and that the public will not be deprived of the benefit of parklands. I understand that it is proposed to introduce another Bill relating to a freeway in the northern suburbs, and this indicates that progress is being made.

However, all this work points to centralization, and one is frequently confronted with the fact that in many cars travelling to and from the city there is only one person. Other people travel for long periods and distances in trams and trains. This must have some effect on their health and must be taking some toll because of the nervous strain that is caused. To some extent, this state of affairs has been brought about by increases in rail and tram fares. In addition, valuable land in the centre of the city has to be used for car parks. I urge the Government to examine closely this congestion and to try to find ways and means of overcoming it. The Country Party supports the Bill and wishes it a speedy passage because the project that will follow its passage will provide greater convenience to the public.

The Hon. D. G. ELLIOT (Melbourne Province).—The original plan for the extension of the South-Eastern

Freeway was not well advised. The planners rushed in where angels feared to tread. In agreeing wholeheartedly with the remarks of Mr. O'Connell, I must say that through persuasive tactics on the part of the Richmond City Council which obtained the ear of Mr. Porter when he was Minister for Local Government and later the present Minister, who seems to be adept at listening to all points of view, a satisfactory solution has been arrived at. At last there is a plan which seems to be pleasing everyone. Although under the present plan about 9 acres of parkland will be taken from the City of Richmond, there is a compensating factor, because the council will receive back almost the same area. In addition, the beauty of the Boulevard drive will be preserved. In my opinion, it is even more beautiful than the Boulevard near Studley Park-road.

This morning I went out to Grange-road bridge and eventually I got on to St. George's-road, turned around in Toorak-road and came back to the bridge. I found that the cars were banked up for half a mile trying to get over the bridge. This is a big problem. I then doubled quickly over to Burwood-road at Bridge-road, where there was a bank-up of traffic right back to Power-street. The same position applied in Barkers-road. The Minister for Local Government has probably experienced these difficulties because he lives in the area. I have mentioned a similar problem previously in relation to the construction of the wholesale fruit and vegetable market and the fish market in the new Footscray-road. The same congestion occurs at High-street and at Studley Park-road. One wonders, in such circumstances, why people do not use public transport more; perhaps, as Mr. Mansell, suggested, the cost factor is such that it is more economic for people to travel together in cars and share the costs. This morning I did not see many cars with only one person in them.

The fact remains that traffic congestion is a big problem throughout the metropolitan area, but more particularly in the eastern suburbs. There is not the same difficulty in the northern areas yet the Tullamarine Freeway is to be built. Certainly, that freeway has some prestige value in that it will eventually go to a jetport. This is causing a great deal of concern in Sydney at the moment. However, through 5 or 6 miles of its length the Tullamarine Freeway will go to nowhere. In my opinion, the extension of the South-Eastern Freeway should have been undertaken many years ago. Of course, the Government can say that it has not the money and that it is already undertaking major works at St. Kilda Junction. It could also point to the need for the eastern freeway and the ring-road. It was interesting to hear Mr. O'Connell mention the cost of construction of the Boulevard, which is amazing when compared with present-day costs. Of course, it was constructed at the time when men were happy to get any form of payment for their labour—and I hope we never return to a similar period.

At a meeting with the Richmond City Council the other night, we were most gratified at the fine reaction to this project and to hear councillors express their gratitude to the Minister for Local Government for agreeing to a reasonable re-planning of the route with a minimum of concern to interested parties, such as St. Kevin's College, Scotch College, and the municipalities involved. The sooner this extension of the freeway is built the better. We pay a tribute to those responsible for the present plan, which is in marked contrast to the original plan which cut through the country willy-nilly almost in a straight line. We also thank the Minister for the presentation to us this morning of a clearly marked, coloured plan of the freeway extension. It is typical of his courtesy. I support the measure.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Power of Board to enter upon and use reserve lands).

The Hon. R. J. HAMER (Minister for Local Government).—I am sure that honorable members were fully entertained by Mr. O'Connell's historical references to Richmond Park. In more recent historical times, the council of which he is a distinguished member did fight successfully and reasonably to preserve this park. The Committee can be satisfied that what is now proposed will result in an enhancement of the park because its shape will be improved, and this will make it easier for the Richmond City Council to administer it. It is not easy to achieve these things, but what has been done in this case is advantageous.

Mr. O'Connell referred to the bicycle track which stands, in part, in the line of the freeway east of Loyola-grove. That track will be replaced by the Board of Works in a suitable location. I was not aware that the Richmond City Council had a financial interest in the track, but I give Mr. O'Connell an assurance that the track will be replaced, and I will ask the Board of Works to confer with the council in regard to it.

I am sure Parliament would like to adopt as a principle that where a major work of this kind crosses developed parklands or property, full replacement should be made. I believe that to be a fundamental requirement, because these projects affect in the main the inner suburbs which ought to be fully compensated when they surrender some of their assets for a major community work. I shall do my best to ensure that this principle is adopted.

I would not give up the prospect of a bridge eventually linking Burnley-street with Williams-road. Such a recommendation may well occur as a result of the current metropolitan transportation survey. Perhaps when it is published this study will reveal the need for such a bridge.

Mr. Mansell rightly referred to the cost of road transport and the number of people who travel in each car. I understand that the figure is about 1.5 persons per car, and it seems difficult to increase that figure. The same position applies in many parts of the world. There must be some human factor operating which prevents people from getting together and regularly travelling in one car. It is extremely costly to provide roadways for cars carrying on the average 1.5 persons.

Mr. Elliot directed attention to the congestion which occurs at peak hours mainly at the bridges, and I agree with him. Several major works which the Government is contemplating include bridges over the Yarra river. Therefore, a project which includes a bridge should be given a high priority because of the relief it will give in overcoming bottle-necks. Another Bill is to be debated relating to the Tullamarine Freeway, but I shall not foreshadow that debate. Mr. Elliot stated that that freeway has some sort of prestige value because it leads to a jetport, but I do not agree with his remarks in that connexion. That freeway would have had to be constructed whether or not there was a jetport. It will serve the Calder Highway, Pascoe Vale-road and the growing areas to the north of Melbourne. However, we can reserve our battle on that subject. I am pleased that honorable members have given this Bill their support.

The Hon. G. J. O'CONNELL (Melbourne Province).—I thank the Minister for his assurance about the bicycle track. I shall convey his remarks to the Richmond City Council as soon as possible.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

STATE SAVINGS BANK (AMENDMENT) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

The object of this measure is to make it possible for officers and employees of the State Savings Bank to qualify for savings bank loans and personal loans from the bank as well as for loans from the crédit foncier department. Crédit foncier loans are usually repayable over a period of twenty years at a rate of interest which varies from time to time, but which is usually about $4\frac{3}{4}$ per cent. State Savings Bank loans are usually made for a period of 25 years, but the Bank does not commit itself for the full period and the loans are renewable every three years. The maximum amount made available to a borrower by way of a State Savings Bank loan is $10,000, and the maximum of a crédit foncier loan is $7,000. The maximum amount lent under a State Savings Bank loan is restricted to 75 per cent. of the valuation of the property concerned.

In times gone by, it might have been thought that officers and employees of the Bank would build less valuable houses or purchase less valuable properties than other members of the community, but there seems to be no justification for retaining the restriction on their borrowing rights. The Bill extends to officers of the State Savings Bank the right which is available to members of the public. I commend it to the House.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

DANDENONG VALLEY AUTHORITY (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

This is a small Bill which contains only three provisions, and they are of a machinery nature. The most important is the one which provides for the declaration, as recreational areas, of lands, such as flood-retarding basins, vested in the Authority, and for the appointment of committees of management to control and develop these recreational areas, on the same lines as the existing provisions in the Water Act. Honorable members will agree that the Dandenong Valley Authority Act should contain provisions of that nature.

A further amendment provides a statutory method of serving notices under the Act, while another permits the revocation of a declared arterial drain when the drain is to be diverted or replaced and will no longer vest in or be under the control of the Authority.

The other amendment relates to the election of commissioners of the Authority and provides for a municipality's representative to cease to be a commissioner if, having been a councillor when elected to the Authority, he ceases to be a councillor of such electing municipality. Such a person would, however, be eligible for re-election by the municipality concerned to fill the extraordinary vacancy thereby occurring, in accordance with the existing provisions of the Act. I commend the Bill to the House.

On the motion of the Hon. G. J. O'Connell, for the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

SUPREME AND COUNTY COURTS (SITTINGS) BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

This small Bill is made necessary primarily because the old court-house at Horsham is being demolished to

make way for a new and up-to-date court-house and, while that new court-house is under construction, it is necessary to transfer the sittings of both the Supreme Court and the County Court to Ararat.

It was originally thought that the transfer could be effected by Order of the Governor in Council, published in the *Government Gazette*. On 24th January of this year, such an order was published, directing that the courts should be discontinued at Horsham and held at Ararat and appointing days for the holding of the courts.

The question has been raised whether the orders were proper orders to be made. The purpose of this Bill is, therefore, to legalize the position, not only for Horsham, but in any future case where a transfer of sittings may be necessary.

Doubt has arisen because it is not clear whether the power of the Governor in Council to appoint places and days for the holding of a court is extensive enough. The appropriate legislation concerning the Supreme Court is the Supreme Court Act 1958, under section 50 of which the court is to be held on such day as the Governor in Council appoints and at certain specified places set out in the Second Schedule. Ararat is not one of the places mentioned in that schedule.

Under section 51 of the Act, the Governor in Council may by order direct that the court be held at any place mentioned in the order, and this power would apparently extend to places not mentioned in the schedule. However, there is no express power to appoint days for the holding of the court at a place not mentioned in this schedule, and this has given rise to this rather technical doubt.

No doubt, such a power must exist, but it is not clear in whom it resides. In particular, it is not clear that it resides in the Governor in Council. The direction I have mentioned, which was given by the Governor in Council in January, is therefore of doubtful validity so far as it purports to appoint days for the holding of the court at Ararat.

There is one further difficulty. The last sentence of section 50 of the Act provides that sittings for the hearing of criminal trials are to be held at such times and places as are now or hereafter fixed by law. It is difficult to say what the effect of this provision is or where the law by which places and days for the hearing of criminal trials are fixed is to be found. There is no statutory enactment on the matter, and it is doubtful what the phrase was intended to convey.

One thing, however, is clear. This sentence in section 50 appears to make a special provision in relation to criminal trials and to deprive the Governor in Council of any power he might have had to fix places and days for the hearing of criminal trials. There is reason, therefore, for regarding the direction of the Governor in Council given on the 24th January as being of doubtful validity in so far as it purports to appoint days for the hearing of criminal trials at Ararat or even regarding the cessation of court sittings at Horsham for the hearing of criminal charges.

These may seem to be technical objections, but if they have any substance they could be the subject of appeal against a decision given in a court wrongly constituted or held in the wrong place, so the position must be put right. The purpose of the Bill is to clear away these doubts so that there will not be the spectre of a number of appeals from decisions given by the court at Ararat.

The Hon. M. A. CLARKE.—I presume there is a court-house at Ararat?

The Hon. R. J. HAMER.—Yes.

The Hon. M. A. CLARKE.—Was it a court-house previously?

The Hon. R. J. HAMER.—Yes. It is a proper court-house; it is used for Petty Sessions at present. This Bill will add Supreme Court and County Court sittings as well.

The Hon. J. M. TRIPOVICH.—Will this principle be applicable in the event of the demolition of a court-house elsewhere?

The Hon. R. J. HAMER.—Yes; that is the purpose of the Bill—it is not merely to make special provision for Horsham.

The Hon. J. M. TRIPOVICH.—It will set a precedent for similar cases in the future?

The Hon. R. J. HAMER.—That is so. The object of the Bill is to remove the doubts I have mentioned. It does this by re-enacting sections 50 and 51 in a different form, whereby it is provided expressly that the court shall be held at places mentioned in the Second Schedule to the Act and at such other places as the Governor in Council directs and that the Governor in Council may appoint days for the holding of the court at any such place. By reason of the omission of the last sentence in the present section 50 relating to criminal trials, the proposed new sections will have general application to the fixing of places and days for the holding of the court for criminal as well as civil cases.

To answer Mr. Tripovich's question, it will be seen, therefore, that the Bill does not attempt to deal merely with the transfer of the court from Horsham to Ararat but makes a new provision which will be applicable to any future case that may arise. It validates the direction of the Governor in Council given in the present case because it is provided in clause 1 that the Bill, when passed, is to be deemed to have come into operation on the day before the direction was given. Necessary consequential amendments are also made to the Justices Act and the Juries Act.

With regard to the County Court, there is no difficulty about the power to fix and alter places or days for holding the court. The County Court Act 1958, however, provides that the Governor in Council may discontinue the holding of the court at any place, and that where that is done the books and records of the court are to be delivered to the registrar of the court at some other place. The Act, however, does not make any provision whereby the books and records may be returned in the event of a discontinued court being re-established. In the same way, it provides that the jurisdiction of the discontinued court with regard to pending cases is to be transferred to the other court without making any provision with regard to those cases in the event of the discontinued court resuming its sittings.

These are difficulties which must be removed to enable the court to resume sitting at Horsham when the new court-house is completed. The Bill, therefore, amends the Act by providing that, in addition to power to discontinue the court at any place, the Governor in Council shall have power to suspend it, and re-enacts section 5 of the Act in such a way that it will be applicable in the case of a suspension as well as in the case of a discontinuance. It provides for the return of books and records to the suspended court when it resumes its sittings and that the transfer of jurisdiction with regard to pending cases is to last only during the period of the suspension.

This amendment of the County Court Act is also a general provision which it is hoped will take care of any future similar cases. It is provided, with regard to the direction given by the Governor in Council in relation to the County Court, that it shall be deemed to be a direction that the holding of the court at Horsham be suspended and that a further direction can be given under the Act, as amended by the Bill, with regard to the period of the suspension.

I think I have dealt sufficiently with the principles of the Bill. It is really quite simple, but, as I have indicated, it is also important because of the possibility of a legal challenge to the jurisdiction of the court. It is desired to avoid such challenges because of the expense and delays that would be involved.

On the motion of the Hon. ARCHIBALD TODD (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

THE CONSTITUTION ACT AMENDMENT (ELECTORAL) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

This measure makes three amendments to Victorian electoral law. I shall deal briefly with these matters in the order in which they are mentioned in the Bill.

First, I shall deal with clause 2 of the Bill and the main reason for its introduction at this time. Pursuant to sections 69, 79 and 107 of The Constitution Act Amendment Act 1958, the subdivisions of an electoral province must correspond with the subdivisions of an electoral district. This restriction is, of course, a very necessary one and ensures that the same subdivisional rolls are used for both Legislative Council and Legislative Assembly purposes. Without such a provision, the rolls system in this State would not be able to operate.

A difficulty arises, however, when there is a redivision of the State into provinces for the Legislative Council. Following on the 1965 redivision, there are eighteen provinces in lieu of the former seventeen. Eight of these provinces—the country ones—are unaltered, but ten of them are completely new.

The creation of the new provinces and districts under the Electoral Provinces and Districts Act 1965 necessitated the formation of new subdivisions. Victoria was redivided into 323 subdivisions instead of the 297 hitherto in existence and new rolls were immediately printed on this basis. But here is the catch: The nine "old" provinces eliminated by the 1965 redivision are still each represented in the Legislative Council by a member until 1970. But what if there is a by-election for one of these "old" or replaced provinces during the next three years? Because of the operation of sections 69, 79 and 107, such a by-election must be conducted on the basis of the subdivisions of the relevant electoral districts formerly in existence. Where there has been a change in subdivisional boundaries, this means that the current electoral rolls often cannot be used, and the administration, much to the confusion and annoyance of public and candidates alike, has to revert to long-discarded boundaries and is faced with the costly business of bringing abandoned rolls up to date and reprinting them.

The recent by-election for the Higinbotham Province, where special rolls were printed for certain old subdivisions, was a case in point. Members may recall a similar occurrence in September, 1957, when, on the death of the Honorable John Cain, rolls for the old subdivisions of the redistributed electoral district of Northcote had to be printed in a hurry for the purposes of a by-election.

It is to enable these difficulties to be overcome, or at least alleviated, that clause 2 of the Bill has been drafted. It will enable the Governor in Council, for the purposes of a by-election replacing any of the members due to retire in 1970, to redivide the province concerned into subdivisions, corresponding as nearly as possible to those on which the current electoral rolls are based, so that such rolls can be used at the said by-election. The external boundaries of the

province will not, of course, be departed from. The advantages of such action need no elaboration, and on the grounds of common sense and of public interest and convenience the proposed amendment merits the support of all members.

Clause 3 of the Bill contains amendments to sections 34 and 71 of The Constitution Act Amendment Act 1958. As honorable members are aware, this Act was amended to permit the periodical election for the Legislative Council normally due on or about 15th July, 1967, to be held conjointly with a general election for the Legislative Assembly up to three months before 15th July. At the same time, it was provided that the members for the ten new provinces created by the recent redivision, if elected at an election held prior to 15th July, 1967, should not take their seats until after the expiration of the term of office of their predecessors, that is, the nine retiring members of the old provinces.

While this is clear enough when the situation is envisaged in its totality, it has been suggested that there may be a chance of ambiguity if the word "predecessor" is related to any of the ten new seats individually. To clarify the matter and to remove any possibility of misunderstanding, sections 34 and 71, which relate to computation of salaries and allowances and the commencement of the period of membership of persons elected to the Legislative Council, are being amended to reaffirm unmistakably Parliament's intention that members elected at an advanced election can take their seats and be paid only from the day following the termination of the retiring members' period of office.

The last clause of the Bill—clause 4—contains proposed amendments to section 263 of The Constitution Act Amendment Act 1958. This section states—

> Any person who is responsible for an illegal practice referred to in section 261A of this Act or who makes or publishes any false statement of fact referred to in section 262 of this Act may be restrained by interim or perpetual injunction by a Judge of the Supreme Court from any repetition of such illegal practice or false statement, or any illegal practice or false statement of a similar character and for the purposes of granting an interim injunction prima facie proof of the illegal practice or of the falsity of the statement shall be sufficient.

For some time now, it has become evident that this provision has certain deficiencies in so far as the supplying of relief to the victims of illegal practices or false statements is concerned. During the recent Federal election, certain plaintiffs, under the terms of a Commonwealth electoral enactment substantially the same as Victorian legislation on the subject, applied to the Supreme Court for an interlocutory injunction to restrain certain other persons from distributing a card representing a ballot-paper containing directions allegedly intended or likely to mislead voters into thinking they were voting for party "A" whereas the cards invited them to vote for members of party "B."

I have deliberately referred to the contending parties in these terms because I am not here concerned with the rights and wrongs of the matter. What does concern me at the moment—and what I feel will concern all members, irrespective of their party affiliations—is the judgment given in the case. Briefly stated, this was to the effect that the Commonwealth Electoral Act, in prohibiting the distribution, among other things, of misleading "how to vote" cards, imposes duties of a kind enforceable only at the hands of the State—that is, the Government—and does not create duties owing to individual members of the public or enforceable at the instance of particular members of the public, even though those particular members of the public may show that they may be peculiarly injured by an infringement of the provisions which are there laid down. The application was refused because of lack of a "legal interest"

by the plaintiffs without the question of the legality or illegality of the disputed " how to vote " card ever being considered.

While it could well be unwise, because of the possibility of baseless, frivolous, mischievous or vindictive charges, to give unrestricted right to any elector to seek an injunction under the section, the Government feels that to deny all possibility of action to an aggrieved member of the public, as the present section apparently does, is a state of affairs which in the interests of ordinary human justice and fair play cannot be allowed to continue. The intention, therefore, is to amend the relevant section of the corresponding Victorian Act to read as follows:—

> Any person who is responsible for an illegal practice referred to in section 261A of this Act or who makes or publishes any false statement of fact referred to in section 262 of this Act may be restrained on the application of or by an elector with the consent of the Attorney-General by interim or perpetual injunction by a Judge of the Supreme Court from the commission of or any repetition of such illegal practice or false statement or any illegal practice or false statement of a similar character and for the purposes of granting an interim injunction prima facie proof of the illegal practice or of the falsity of the statement shall be sufficient.

I submit that the wisdom of the proposed amendments will be appreciated by all those who are prepared to examine them calmly and dispassionately. Surely, no one could raise objection to the suggestion that electors should be allowed to take action under the section, particularly in view of the fact that the necessity for any such person seeking redress to obtain the consent or fiat of the Attorney-General should prevent the possibility of frivolous or unreasonable applications being made.

Here I should like to anticipate a question which I have no doubt is in the minds of certain honorable members. They probably want to ask: Why should action in a matter which has undeniable political overtones first have to be approved by a Minister who is himself a member of a political party and, in theory anyway, could be influenced thereby in his assessment of the desirability or otherwise of a particular elector being allowed to initiate action? The answer to this is that the requirement to obtain the fiat of the Attorney-General in certain proceedings has long been a practice in the law both of this State and of England and one that has invariably been administered impartially and objectively. In the *Attorney-General and Lumley* v. *T. S. Gill and Son Pty. Ltd.*, as reported in *Victorian Law Reports*, 1926, page 416, the then Acting Judge, the Hon. Owen Dixon, commented on the responsibilities of the Attorney-General in relation to the issue of his fiat as follows:—

> Now the action by the Attorney-General at the relation of a private person is founded upon this view—that the acts complained of are not a violation of a private right of a person desiring to litigate, but are a violation of some public duty which the Crown is entitled to complain of, and a relator comes forward and applies to the Attorney-General in his quasi-judicial capacity, for a fiat permitting the relator to sue out a writ in the Attorney-General's name. The function of the Attorney-General is to consider whether, in all the circumstances, the relator shows a peculiar grievance or injury to him by reason of the violation of a public right, or whether in some other respect he is particularly interested in that supposed violation of public right. In that case it is the duty of the Attorney-General, although a duty of imperfect obligation, assuming that he is satisfied that there is a probable violation of public duty, to issue his fiat enabling the relator to seek in the Courts the appropriate remedy in the name of the Attorney-General.

The House is assured that the responsibilities of the Attorney-General in this matter as outlined by the learned Judge will be dealt with completely objectively on the basis of an assessment made by impartial and competent advisers. I might mention that several other statutes have a similar requirement and though, at times, decisions have been required to be made in cases with possible political implications by Attorneys-General belonging to different political parties not once to my knowledge has anything but the

strictest regard for impartiality been displayed. I commend the Bill to the House.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

PETROLEUM (BARRACOUTA AND MARLIN FIELDS AGREEMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

The House adjourned at 5.54 *p.m.*

Legislative Assembly.

Tuesday, March 7, 1967.

The SPEAKER **(Sir William McDonald)** took the chair at 2.11 p.m., and read the prayer.

TASMANIAN BUSH FIRES.

VICTORIAN ASSISTANCE.

Mr. WILKES (Northcote) asked the Treasurer—

1. What amounts of money have been given to the Tasmanian Government by the State of Victoria for bush fire relief?

2. Whether any other assistance has been offered to Tasmania by Victoria; if not, whether the Government intends to offer any?

For **Sir HENRY BOLTE** (Premier and Treasurer), Mr. Rylah (Chief Secretary).—The answers are—

1. The total amount of money given to the Tasmanian Government by the State of Victoria, by which I mean the Government and the people, is not known. I have, however, been able to obtain the following figures which will, I am sure, be of interest to the honorable member and indeed to all Victorians:—

The Lord Mayor of Melbourne's fund to which the Government contributed $30,000 so far totals $180,257 and, with donations still coming in, it is confidently anticipated that this fund will exceed $200,000.

The amount contributed to the *Herald* Bush Fire Relief Fund is $628,246 and the amount contributed to the Governor of Tasmanian's Fund through the *Age* newspaper stands at $103,500.

The Victorian division of Red Cross, which by the way did not conduct an appeal, received and sent to the Tasmanian headquarters a sum of $40,000.

There alone, we have a total of $952,003 and, with the donations sent direct and those still to come, I feel it would be fair to say that Victorians will have contributed in excess of $1,000,000 in cash alone for the relief of hardship and in the rehabilitation of people affected by bush fires in Tasmania.

2. The Forests Commission sent 250 knapsack spray pumps and ten complete radio transmitter receivers for use in fire fighting and the State Electricity Commission sent to Tasmania a party of seventeen, comprising an engineer, foreman, linesmen and motor mechanics together with several special vehicles to assist the Hydro Electricity Commission of Tasmania in restoring electricity services destroyed by the fires. The party which left for Tasmania on 10th February, 1967, returned to Melbourne on 28th February.

The Country Fire Authority had a complete fire-fighting unit of 48 members, including fire fighters, radio operators and first aid officers and a variety of vehicles and equipment on standby from 11th February. The services of this unit were not requested by the Tasmanian authorities.

The Victorian division of Red Cross, to name but one of many welfare organizations, sent bedding and furniture and the like. The latter mostly new, and mostly donated by business firms, was valued at approximately $40,000.

The Victorian Government has offered whatever assistance is required by the Tasmanian Government. No special requests have been received to date.

SNOBS CREEK FISH HATCHERY.

FISH RELEASED: MAINTENANCE COST.

Sir HERBERT HYLAND (Gippsland South) asked the Chief Secretary—

1. How many fish have been released from the Snobs Creek Fish Hatchery since it was first established?

2. How the cost of running the hatchery compares with the amount received from fishing licences?

Mr. RYLAH (Chief Secretary).—The answers are—

1. From 1947 until 1966, a total of 18,380,000 fish have been released from Snobs Creek Hatchery.

2. For the financial year 1965–66, revenue from inland angling licences was $99,830.

The expenditure at Snobs Creek Hatchery, including the cost of distributing fish, for the year 1965–66, was $121,534.

As from the 1st November, 1966, angling licence fees were increased from $1 to $2, so that revenue for future years will probably be doubled.

OBSCENE PUBLICATIONS.

CHARGE AGAINST MYER (MELBOURNE) LIMITED.

Mr. LOVEGROVE (Fitzroy) asked the Chief Secretary—

If he will lay on the table of the Library the relevant information concerning the recent charge by the Victoria Police Vice Squad against Myer (Melbourne) Limited?

Mr. RYLAH (Chief Secretary).—The prosecution in this matter is still *sub judice*, but I shall be pleased to make the file available for perusal by the honorable member.

EDUCATION DEPARTMENT.

GARDENING STAFFS: SUBSIDIES.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Education—

What are the State-owned schools at which Government-subsidized part-time gardeners and full-time gardeners respectively, are employed?

Mr. BLOOMFIELD (Minister of Education).—The answer to this question is in the form of a long catalogue and, with the leave of the House, I should like it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:—

Schools with full-time gardeners subsidized by Education Department—

High Schools.

Ashwood.
Balwyn.
Belmont.
Brighton.
Lilydale.
Macleod.
Oakleigh.
Shepparton.
University.

Schools with part-time gardeners subsidized by the Education Department—

State Schools.

37	Wodonga.	4429	Sandringham East.
208	Echuca.		
294	Heidelberg.	4543	Coburg North.
541	Geelong East.	4641	Solway.
545	Sale.	4642	Wangaratta West.
1365	Tallangatta.		
1465	Donald.	4657	Shepparton, Gowrie-st.
1819	Yarrawonga.		
2061	Chilwell.	4665	Newport West.
2634	Armadale.	4669	Chadstone Park.
2955	Princes Hill.		
3161	Kew East.	4699	Traralgon.
3631	Black Rock.	4731	Pascoe Vale North.
3790	Edithvale.		
3806	Penders Grove	4742	Shepparton, Bourchier-st.
3889	Thornbury.		
3942	Elwood.	4803	Beaumaris North.
4265	Albion.		
4267	Heidlberg West.	4808	Nunawading South.
4309	Bell.	4818	Sunvale.
4386	Ivanhoe East.	4820	Doveton West.

Consolidated.

Boisdale.
Dunkeld.
Heywood.
Kaniva.
Laver's Hill.
Murrayville.
Pakenham.
Red Hill.
Robinvale.
Timboon.
Tongala.

Girls' Secondary.

Brunswick.
Collingwood.
Fitzroy.
J. H. Boyd Domestic College
Richmond.

High Schools.

Alexandra.
Ararat.
Bacchus Marsh.
Bairnsdale.
Ballarat.
Ballarat East.
Beaufort.
Beaumaris.
Bell Park.
Benalla.
Bendigo Girls'.
Bentleigh.
Blackburn South.
Bonbeach.
Box Hill.
Braybrook.
Burwood.
Camberwell.
Camperdown.
Canterbury Girls'.
Casterton.
Castlemaine.
Cheltenham.
Colac.
Croydon.
Dandenong.
Dandenong Girls'.
Dimboola Memorial.
Drouin.
Edenhope.
Elwood.
Euroa.
Flemington Girls'.
Footscray.
Footscray Girls'.
Foster.
Frankston.
Geelong.
Glenroy.
Highett.
Horsham.
Koo-Wee-Rup.
Korumburra.
Kyabram.
Kyneton.
Lakeside.
Latrobe.
Leongatha.
Maffra.
Maribyrnong.
Maryborough.
Matthew Flinders Girls'.
Mentone Girls'.
Merbein.
Mirboo North.
Mordialloc-Chelsea.
Mornington.
Morwell.
Murrumbeena.

High Schools.

McKinnon.	St. Arnaud.
MacRobertson Girls'.	Stawell.
Nhill.	Sunshine.
Norlane.	Sunshine West.
Norwood.	Swan Hill.
Nunawading.	Terang.
Oak Park.	Traralgon.
Ouyen.	Wangaratta.
Pascoe Vale Girls'.	Warracknabeal.
Portland.	Warragul.
Preston Girls'.	Waverley.
Queenscliff.	Wedderburn.
Rainbow.	Williamstown.
Rochester.	Williamstown Girls'.
Rosebud.	Yallourn.
Sale.	Yarram.
Seymour.	Yarrawonga.
St. Albans.	

Special.

4834 Ewing House for Deaf Children.

Some technical schools employ gardeners and meet the cost from the maintenance and extraneous accounts. The names of the schools are not available without contacting all technical schools.

Proposed Senior High Schools.

Mr. HOLDING (Richmond) asked the Minister of Education—

1. Whether he is aware that, despite recent statements by the Director of Education to the effect that no decision has yet been taken to approve the proposals for senior high schools, specialist committees have been set up by the Department to prepare specifications for the new schools?

2. How many such committees are at present engaged in detailed planning of all aspects of the new schools, what is the total membership of these committees, and what is the detail of the planning with which they are concerned?

3. Whether any decision to proceed with the scheme has yet been made; if not, why the considerable costs of this detailed work have been approved?

4. Why the period allowed for the consideration was restricted to two months (December to February)?

5. Whether, before a decision is made, an adequate opportunity will be given for this House to discuss the important issues of policy involved and, prior to the discussion, full information will be made available concerning the costs of the scheme, the sources of the additional finance required, the staffing provisions for the new schools, and the effects on the staffing of existing high schools?

6. Whether he will make available immediately all submissions concerning the proposals made to the Department by interested bodies and the departmental replies to these submissions?

7. What estimates, based on estimated enrolments for the new schools with allowances for likely growth, have been made and whether he will provide the House with the details of such estimates?

8. Whether he will give this House an assurance that any decision to construct the new schools or to provide special facilities for them will not further delay action to remedy the situation now existing in a number of secondary schools, which are operating in inadequate temporary premises without even minimum facilities?

9. Whether, before any such general policy decision is taken—(*a*) a pilot scheme involving only one such school should be instituted; (*b*) a proper evaluation of the efficiency and results of the scheme will be made over a period of two or three years; and (*c*) such an evaluation will be carried out by an independent authority or by a committee which includes individuals independent of the Department?

Mr. BLOOMFIELD (Minister of Education).—The answers are—

1. Committees have been set up to provide necessary information to enable decisions to be soundly based.

2. There are eighteen such committees, examining various aspects of the proposal. Altogether there are 150 persons serving on these committees. Members of the Teaching Service and the Public Service are with few exceptions working on this project without substantial interference to their ordinary duties.

3. No. No considerable cost has been incurred.

4. The period for consideration has not been restricted to two months.

5. As I have indicated, no decision has yet been made. I think it improbable that a final decision will be made before the Spring session of Parliament. In the unlikely event that an affirmative decision should be arrived at between the conclusion of this session and the commencement of the spring session, an undertaking in the terms sought could delay the establishment of the first senior high school, and I am therefore not prepared to give such an undertaking. Subject to that, and speaking for myself only, I should be happy to make a Ministerial statement on the subject as soon as possible after any affirmative decision has been arrived at. The only decision remotely probable this year will be

related to the establishment of one senior high school on an experimental basis, with foreseeable consequences on the schools which would feed it.

6. In view of the situation described in earlier answers, as some submissions and replies have been oral, and as others have not yet been replied to, I am not prepared at present to comply with this request.

7. Estimates are still in course of preparation.

8. The effect of the proposal for an experimental project and of any further subsequent projects, on the building programme will be given very careful consideration.

9. (*a*) and (*b*). This is the present intention. The period referred to in (*b*) may be longer.

(*c*) I believe that independent opinions will be sought, but no decision has yet been made on this matter.

LATROBE VALLEY SCHOOLS: CLASS-ROOMS: TEACHERS: CATHOLIC SCHOOLS.

Mr. HOLDING (Richmond) asked the Minister of Education—

1. How many temporary class-rooms are in use at State primary and secondary schools at Yallourn, Yallourn North, Morwell, Traralgon, Yinnar, Boolarra, and Mirboo North, respectively?

2. How many qualified and unqualified teachers, respectively, are at each of the above schools?

3. Whether he is aware of a shortage of class-rooms at any of the above-named schools; if so, at which schools shortages exist?

4. When the Morwell East (Maryvale) High School will be shifted from temporary quarters to its permanent site?

5. What is the student-teacher ratio at each of the above schools?

6. If he will ascertain and inform the House, how many students are enrolled in Catholic schools at the above towns, specifying in respect of each school—(*a*) the number of students; (*b*) the student-teacher ratio; and (*c*) the number of qualified and unqualified teachers, respectively?

Mr. BLOOMFIELD (Minister of Education).—The answers are long and consist of statistical information. I suggest that they be incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follows:—

1, 2, 3 and 5—

School.	Temporary Class-rooms.	Teachers.		Student/ Teacher Ratio.	Shortage of Class-rooms.
		Qualified.	*Unqualified.		
H.S. Yallourn ..	..	20	2	18 : 1	..
4085 Yallourn ..	..	12	..	30 : 1	..
3967 Yallourn North	..	10	..	38 : 1	..
2136 Morwell ..	..	15	..	29 : 1	..
4680 Morwell ..	1	21	..	38 : 1	Any overcrowding is expected to be relieved by new Morwell Park school
4692 Morwell ..	3	24	..	33 : 1	
4655 Morwell ..	..	12	..	33 : 1	..
H.S. Morwell ..	..	36	15	19 : 1	..
H.S. Traralgon ..	..	29	11	21 : 1	..
3584 Traralgon ..	..	19	..	29 : 1	..
4699 Traralgon ..	..	14	..	33 : 1	..
4700 Traralgon ..	..	14	..	37 : 1	..
4652 Traralgon ..	..	11	..	33 : 1	..
2419 Yinnar ..	..	4	..	25 : 1	..
2617 Boolarra ..	2	4	..	33 : 1	School to be replaced (on new site)
H.S. Mirboo North	1	19	5	17 : 1	Provision of additional accommodation is on building programme
2383 Mirboo North	..	9	..	35 : 1	..
H.S. Maryvale ..	8	10	..	21 : 1	See answer to 4

* "Unqualified" has been regarded as "lacking teacher training".

4. The Public Works Department is at present preparing a scheme and estimate but no indication can be given at this stage as to when tenders are likely to be called.

6. The Catholic education office has advised—

School.	Students.	Student/Teacher Ratio.	Teachers.	
			*Qualified.	Unqualified.
St. Therese's, Yallourn	178	59 : 1	3	..
Sacred Heart, Morwell	359	60 : 1	6	..
St. Vincent de Paul's, Morwell	501	63 : 1	8	..
St. Michael's, Traralgon	640	53 : 1	9	3
St. Paul's College, Traralgon	266	38 : 1	7	..
Kildare College, Traralgon	323	46 : 1	7	1

* "Qualified" has been regarded as "registered with the Council of Public Education".

BALLARAT SCHOOL OF MINES: NEW SITE.

For **Mr. STONEHAM** (Leader of the Opposition), Mr. Wilkes asked the Minister of Education—

1. Whether a new site has been purchased for the Ballarat School of Mines; if so, where, and at what cost?

2. What are the reasons why the site offered free of cost by Mr. Reid was not developed for this purpose?

3. If he will lay the file dealing with this matter on the table of the Library?

Mr. BLOOMFIELD (Minister of Education).—The answers are—

1. A new site containing an area of approximately 243 acres has been purchased at Mount Helen for $63,145.00.

2. It was reported that the land referred to was to be made available for the establishment of a university. In August, 1963, the Ramsay Committee on Tertiary Education in Victoria advised that a college to be affiliated with the University of Melbourne should be established at Ballarat. Following conversations with the chairman of the Australian Universities Commission, which I took as assenting to this proposal, I visited Ballarat and had conversations with local people interested in this project, including Mr. Reid, who appeared to be satisfied that the college should be established on the Mount Clear site.

Subsequently, the Australian Universities Commission advised that the Commonwealth would not support the university college project, but would support the development of the School of Mines on its own site. Later the Commonwealth Committee on Advanced Education recommended that $1,000,000 should be made available for this purpose, by State and Federal Governments. This recommendation was accepted and planning was undertaken accordingly. In the latter part of 1966, the Vice-president of the Victoria Institute of Colleges recommended a change of plan involving building on Mr. Reid's land or the acquisition of a site outside Ballarat. This was accepted by the Advanced Education Committee and the Commonwealth and State Governments. Mr. Reid was approached, but his property was no longer available and another was purchased in the same area.

3. Yes.

COOLING OF CLASS-ROOMS.

Mr. TREZISE (Geelong West) asked the Minister of Public Works—

Whether steps are being taken to formulate a method of cooling school class-rooms in excessively hot weather; if so, to what extent; if not, whether steps will be taken?

Mr. PORTER (Minister of Public Works).—The answer is—

Yes. At this stage, no final decision has been reached as to the most effective and economical method of cooling schools.

An inter-departmental committee, consisting of senior officers of the Public Works Department and Education Department, under the chairmanship of the Assistant Minister of Education, was established in 1965. A sum of $100,000 has been made available over a period of five years to this committee to conduct research and carry out experiments. Experiments already undertaken include—

(i) architectural alterations to school buildings to widen the eaves and reduce the glazed areas, together with the use of brick veneer external walls and tiled roofs in new schools in place of masonry veneer walls and iron roofs;

(ii) the planting of quick-growing trees, shrubs and vines in close proximity to school buildings;

(iii) installation of solar screens over windows;

(iv) the installation of fixed mechanical evaporative coolers and air conditioners at Horsham West and Mildura West schools;

(v) the supply of 64 portable air conditioning units to examination centres in the hot northern districts. These units are used in the local schools during the summer, except for the few weeks in late November and early December, when external examinations are being held;

(vi) the incorporation of a combined heating and evaporative cooling system in the new primary school being erected at Kerang South;

(vii) in addition, overhead fans are installed in schools in the hot northern areas upon the recommendation of the District Inspector of Schools, and from the beginning of next financial year schools will be able to use the normal building and furniture subsidy towards purchase and installation of air conditioners and evaporative coolers.

I believe this committee, under the chairmanship of my colleague, the Assistant Minister of Education, is working exceedingly well.

RAILWAY DEPARTMENT.

LEVEL CROSSINGS IN NORTHCOTE ELECTORATE: INSTALLATION OF BOOM BARRIERS.

Mr. WILKES (Northcote) asked the Minister of Transport—

1. What priority has been given to the installation of boom barriers to replace existing hand-operated and mechanical gates at Hutton-street, Thornbury; Normanby-avenue, Thornbury; Beavers-road, Northcote; Arthurton-road, Northcote; and Charles-street, Northcote; respectively?

2. When, and in what order, it is expected that these gates will be replaced by boom barriers?

Mr. MEAGHER (Minister of Transport).—The answers are—

1. No priority has yet been allotted to the installation of boom barriers at the crossings referred to.

2. The installation of boom barriers at these crossings is associated with the provision of power signalling on the line and, because of other commitments, is some years away.

Until detailed designs are prepared, it is not practicable to say in what order the various crossings will be dealt with.

GEELONG LINE: FARES AND PARCELS RATES: PASSENGER SERVICES.

Mr. TREZISE (Geelong West) asked the Minister of Transport—

1. Since 1955, what are the dates and details of revisions of passenger fares and parcel freights, respectively, on the Geelong–Melbourne rail service?

2. What improvements (if any) have been made during that period for passengers' comfort in relation to—(*a*) travel time; (*b*) type of carriage; and (*c*) off-peak and week-end services?

3. Whether there is evidence that both the continued delay in duplication of the line and the over-all standard of service provided for Geelong citizens are discouraging them from patronizing this service?

4. What improvements in service can be expected in the near future?

Mr. MEAGHER (Minister of Transport).—The answers are fairly lengthy and detailed, and I therefore seek leave for their incorporation in *Hansard,* without my reading them.

Leave was granted, and the answers were as follows:—

1. Since 1955 the following revisions of country passenger fares and parcels rates have been made in this State:—

Country Passenger Fares.

1st November, 1955—Single fares increased 7½ per cent. Other fares increased 22½ per cent.

6th March, 1960—10 per cent. increase.

27th September, 1964—20 per cent. increase.

29th November, 1964—5½ per cent. reduction in country periodical fares.

14th August, 1966—15 per cent. increase.

Parcels Rates.

6th March, 1960—10 per cent. increase.

27th September, 1964—20 per cent. increase.

14th August, 1966—15 per cent. increase.

2. (*a*) The schedules of Melbourne–Geelong Sunday excursion trains have been accelerated by from two to fifteen minutes, representing an average of eight minutes.

(*b*) "PL" excursion type carriages have been largely replaced by "W" type corridor carriages.

(c) The following additional off-peak services have been scheduled:—

2.20 p.m.	Melbourne–Geelong	Mondays to Fridays.
2.05 p.m.	Melbourne–Geelong	Saturdays.
4.13 p.m.	Geelong–Melbourne	Mondays to Fridays.
3.33 p.m.	Geelong–Melbourne	Saturdays.

The peak service has been augmented by the addition of a 5.52 p.m. Melbourne–Geelong train on Mondays to Thursdays.

3. There is no evidence of this.

4. When duplication of the track between Newport South and Werribee is completed, it is intended, where practicable, to serve the stations between Newport and Werribee by local trains.

Most through Geelong trains will then be operated express between Werribee and Melbourne or stopping Newport and/or Footscray only.

CAMP-ROAD, BROADMEADOWS, LEVEL CROSSING: ABOLITION.

Mr. WILTON (Broadmeadows) asked the Minister of Transport—

When the plan for the abolition of the Camp-road level crossing, in the City of Broadmeadows, will be implemented?

Mr. MEAGHER (Minister of Transport).—The answer is—

The honorable member's attention is drawn to the 56th interim report of the Inter-Departmental Committee on Abolition of Level Crossings, a copy of which was forwarded to him on 13th February, 1967. In this report the committee expressed the view that the first stage of the over-pass might possibly occur in from five to ten years from the date of the report which was submitted in 1963, and that the duplication of the scheme might be needed in ten to twenty years after that.

At this stage, there is a considerable number of level crossings with a higher priority for abolition than Camp-road, Broadmeadows. It is, therefore, not practicable to say when grade separation at that location will be undertaken.

MELBOURNE AND METROPOLITAN BOARD OF WORKS.

DISCHARGE OF SEWAGE INTO YARRA RIVER IN FAIRFIELD–ALPHINGTON AREA.

Mr. WILKES (Northcote) asked the Minister of Lands, for the Minister for Local Government—

1. At what locations, how often, and in what quantities, sewage is discharged into the Yarra river in the Fairfield-Alphington area?

2. At what locations, how often, and in what quantities, industrial wastes are discharged into the river in this area?

3. What is the increase in sewage and industrial waste, respectively, so discharged over the past five years?

Mr. BALFOUR (Minister of Lands).—The answers supplied by the Minister for Local Government are—

1. No sewage is discharged into the Yarra river in the Fairfield-Alphington area under normal conditions.

During periods of prolonged rain, rainwater gains access to the sewerage system and flows are increased to such an extent that some chlorinated sewage mixed with rainwater flows into a detention tank at Alphington. After flows have subsided the contents of the tank are drained back into the sewer.

If, however, the heavy rain continues, then the chlorinated flow over and above the capacity of the sewer and detention tank drains to the river. The average quantity discharged on these occasions, which is primarily rainwater, is 2,000,000 gallons.

2 and 3. The Board is not aware of any industrial waste being discharged into the river in the Alphington-Fairfield area. The Australian Paper Manufacturers return some 9,000,000 gallons per day cooling water to the river; the only waste that this contains is heat. All fluid wastes are discharged into the sewer.

MARGARINE.

MANUFACTURE IN VICTORIA.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Immigration, for the Minister of Health—

1. How many manufacturers of table margarine are registered in Victoria?

2. Under what conditions margarine is manufactured in each factory?

Mr. ROSSITER (Minister of Immigration).—The answers supplied by the Minister of Health are—

1. Three.

2. The conditions which are specified in the licence issued through the Department of Agriculture to each manufacturer cover the following matters:—

(*a*) that cooking margarine shall not be manufactured at the premises relating to the table margarine licence during the currency of the licence;

(*b*) specifications of the maximum amount of table margarine which can be manufactured at the premises during the currency of the licence; and

(c) that no other person than the one stated on the licence shall manufacture margarine at the premises during the currency of the licence; and

(d) the brands under which the margarine may be packed.

Apart from these conditions specified in the licence, premises where margarine is manufactured are "food premises" within the meaning of the Health Act 1958, which must be registered with the local municipal council.

Such premises are required to conform to structural and other standards fixed by the Food Premises Regulations and also to meet the standards of cleanliness and sanitation provided for in the Cleanliness (Foods, Drugs and Substances) Regulations.

These regulations are administered by local municipal councils. The Department of Health has no information to suggest that any of the above premises do not comply with the regulations.

GAS AND FUEL CORPORATION.

NORTHCOTE CONSUMERS: PRICES.

Mr. WILKES (Northcote) asked the Minister for Fuel and Power—

1. What is the number of industrial, commercial, and domestic consumers, respectively of town gas supplied by the Gas and Fuel Corporation in the municipality of Northcote?

2. What is the price differential in each case?

Mr. G. O. REID (Minister for Fuel and Power).—The answers are—

1. Industrial 80
   Commercial 350
   Domestic 15,100
   15,530

2. Average price per therm—
   Industrial .. .. 23 cents
   Commercial .. .. 33 cents
   Domestic .. .. 38 cents

EDUCATION DEPARTMENT.

LAND PURCHASES: REPORT OF BOARD OF INQUIRY.

Mr. RYLAH (Attorney-General) presented the report of the Board of Inquiry into the resumption, acquisition and purchase of land for the purposes of the Education Act 1958.

It was ordered that the report be laid on the table and be printed.

WARRAGUL (PUBLIC PARK) LANDS BILL.

Mr. BALFOUR (Minister of Lands), by leave, moved for leave to bring in a Bill relating to certain lands at Warragul permanently reserved as a site for a public park and garden, and to authorize the granting of leases of a certain part thereof and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a second time.

The reserve to which this Bill relates is situated south of the railway line in the township of Warragul, and contains an area of 29½ acres of Crown land which was permanently reserved in 1889 as a site for a public park and garden. The Bill sets out five proposals in respect of the reserve.

First, it is proposed to add certain portions of land to the reserve. This is brought about because sections of a road, which originally formed the northern boundary of the reserve, were closed in 1895 and 1920, and although most of this former road has been used as an adjunct to the reserve for many years, it has never been formally included in the reservation. As this land will never be used as a roadway, this opportunity is being taken to remedy the omission.

Secondly, it is proposed to exclude from the reservation a relatively small area of about 5 perches, at the western end of the reserve, which was included in allotments 14 and 15 of section 10, township of Warragul, when those allotments were sold in 1909. The net result of these dealings will be to increase the area of the reservation by over 4½ acres.

The third adjustment covers the purposes for which the reserve may be used. In the Order in Council for the original reservation, these were

expressed as being for a public park and garden. A recent feature survey of the area has shown, however, that, while sections of the reserve have been laid out as lawn and gardens, additional development has included provision of a tourist camping ground with amenities such as a dining hut, laundry facilities and a toilet block. Other developments on the reserve include a children's playground and a soccer field, and sections have been laid out as tennis courts, croquet lawns and bowling green, each with clubhouse facilities.

It is therefore proposed to vary the purposes for which the reservation may be used to cover this present-day development and use. These three proposals will be implemented by rescinding the original reservation of 29½ acres, and re-reserving the amended area of 33 acres 3 roods 17 perches as a site for a public park and garden, and for recreation and camping purposes.

The fourth proposal is for the appointment of the corporation of the council of the Shire of Warragul as committee of management of the amended area of the reserve. The final proposal in the Bill is to empower the corporation, as the committee of management to issue a lease to the Warragul Bowling Club in respect of an area of about 1½ acres of the reserve of which a plan is included in the Second Schedule to the Bill.

The leasing provisions are similar to those in other recent legislation, and will cover about 1¼ acres of reserve already occupied and developed by the bowling club and an additional one-quarter acre of low-lying land to the west which the council has approved for green extensions. The bowling club was granted permission by the council to establish clubrooms and bowling greens on part of the reserve about 60 years ago. Since then the club has occupied the site at the pleasure of the council but with no security of tenure or legal right to ownership of its improvements. Recently the bowling clubhouse was destroyed by fire. The council has agreed to make a loan of $12,000 to the club to rebuild the clubhouse, and one of the main reasons for the legislation is to provide for a long-term tenure to protect the interests of both the council and the bowling club.

Clause 1 of the Bill cites the short title. Clause 2 defines "Council" as meaning the corporation of the council of the Shire of Warragul for the purposes of the Bill. Clause 3 provides for revocation of the original reservation of 1889 and for reservation of the area of 33 acres 3 roods 17 perches, defined in the First Schedule to the Bill, as a site for a public park and garden, and for recreation and camping purposes.

Clause 4 revokes the original appointment of the council as committee of management, and reappoints the council, as defined in this Bill, to be the committee of management for the whole of the area defined in the First Schedule. It also provides that the regulations already made under the Land Act for the care and management of the reserve shall apply to the new area of the reservation. Provision is also made in this clause for the area of 1½ acres, defined by plan in the Second Schedule, to be leased by the council for the purposes of a bowling club for amusement and recreation, and for amenities connected therewith.

Sub-clause (4) of clause 4 contains the usual provision for leases of this nature, and fixes the maximum term at 21 years with the requirement that, if the lease is for a longer period than three years, it is subject to approval by the Governor in Council. Sub-clause (5) sets out that the lease rental is to be applied for the maintenance and improvement of the balance of the reserve, and the final sub-clause is the standard provision that no liability shall attach to the Crown in respect

of any matter arising out of the Bill. I commend the measure for the favourable consideration of the House.

On the motion of Mr. LOVEGROVE (Fitzroy), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, March 9.

POLICE OFFENCES (OBSCENE PUBLICATIONS) BILL.

The debate (adjourned from February 21) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Mr. LOVEGROVE (Fitzroy).—In the view of the Opposition, this important measure contains three significant principles. First, it implies a limited recognition of the need for a national approach to censorship. Secondly, Ministerial control of censorship is being reserved to the States, in this case the State of Victoria, to prosecute for obscenity and pornography, irrespective of any decisions made by the National Literature Board of Review, the establishment of which was announced in the Minister's second-reading speech.

Thirdly, it progresses a step along the road to uniformity in censorship, which the Opposition welcomes with two reservations. The first reservation has been indicated to the Chief Secretary, and will be met by his agreement to the amendment of proposed new section 166A as contained in clause 2.

This provision reads—

> No prosecution shall be taken against any person for an offence against section 166 in respect of any book pamphlet magazine or periodical otherwise than by a member of the police force with the written authority of the Chief Secretary given either generally or in any particular case.

and it will be amended by the omission of the words "either generally or". The second reservation is made necessary by the fact that neither the Victorian Government nor the Federal Government has indicated the type of National Literature Board of Review which is to be appointed either under legislation to be introduced into the Federal Parliament or by regulation under the Customs Act. As neither the Victorian Government nor the Opposition has any knowledge of the type of board to be appointed by the national Government, the Opposition accepts no responsibility for the success or otherwise of the Bill. I think that is a reasonable attitude, but I want to make it irrefutably clear that the Opposition has no time for either obscenity or pornography, nor do its members desire to see the interests of those who commercialize smut in this or any other State defended under any legislation, existing or projected, in either Victoria or the national sphere.

As the Opposition believes there is a need for censorship against the commercialization of smut, we welcome this Bill as a step towards some uniformity in the approach to literary censorship. Although he gave certain information in his second-reading speech, if the Bill is passed the Minister will be leaving this Parliament in the position of having passed a measure dealing with a national body to be called the National Literature Board of Review which does not yet exist. If the Minister could throw any additional light on the kind of body that the national Parliament proposes to bring into existence, the Opposition would be very grateful. On 19th December, 1966, the *Age* adumbrated the proposal now before the House in a front page article from which I quote as follows—

> BIG STEP TO UNIFORM CENSORSHIP.
>
> *New Boards Details.*
>
> Canberra.—The Minister for Customs (Senator Anderson) said yesterday he hoped State Ministers would "fairly soon" sign an agreement to establish a Commonwealth-State literature censorship advisory board.

Under the proposed censorship scheme, the States would retain the right to prosecute for obscenity the publishers and distributors of books approved by the board and the Commonwealth.

The board's role would be purely advisory. The decision to ban or pass a book would remain with the Minister for Customs.

The board would be able to consider locally produced as well as imported books. The present Commonwealth Literary Censorship Board can make recommendations only on imported books.

In conclusion, I point out that, whilst the Opposition does not oppose the Bill, it gives it conditional support, as I have signified in my remarks.

Mr. WHITING (Mildura).—Like the Deputy Leader of the Opposition, the Country Party has some doubts about the wisdom of this type of legislation. Our doubts are not so much in regard to the Bill itself, but because, so far as I can gather, none of the other States has yet embarked on this type of legislation and, as the Opposition pointed out, the establishment of the National Literature Board of Review is probably still some distance in the future. Whilst it is a very good thing to get in early and pick up all the crumbs, so to speak, one would like to have a lot more information on how this measure will fit into the over-all pattern of censorship throughout the Commonwealth. We are prepared to support the Bill at this stage, but look forward with interest to the developments that will occur in the next year or two.

The main provision of the Bill is that clause 2 proposes a new section to follow section 166 of the principal Act. The purpose of section 166 is to enable the prosecution of people who deal in pornography and obscene publications for gain. No member of this House would support such dealing, and it is deplorable that there are people who deal in and perhaps even make a living from this type of business, especially in view of the underground and underhand measures that they employ to peddle their wares throughout the community.

Clause 3 proposes the addition of a new section 180A to the principal Act, which provides protection for members of the National Literature Board of Review whilst carrying out their duties. I point out that the proposed new section provides that no action may be brought against any person who is or at any time was a member of the National Literature Board of Review. Surely, once a member has resigned from or left the Board, he should be treated the same as any other member of the community.

Mr. MANSON.—He could be challenged on a decision that he made as a member of the Board.

Mr. WHITING.—I accept the Minister's explanation. One wonders whether members of Parliament also should not be covered by this type of provision. It is possible that, in the course of investigations, an honorable member may at some time find himself in a similar position to a member of the National Literature Board of Review. Country Party members support the Bill, although we feel that it would have been easier to consider it objectively if the new Commonwealth board had been appointed and the other States also had commenced to move along the road towards enacting this type of legislation.

Mr. SUTTON (Albert Park).—This Bill premises that the censorship of literary matter is necessary. Many people declare it is not. Among them are those to whom the Deputy Leader of the Opposition referred—and people with commercial interests to serve—paragons of private enterprise; many who resent what they regard as invasions of personal freedom, the freedom to read; and not so many—a not inconsiderable number, nevertheless, mostly semi-literates—who revel in pornography and want no impediments raised against easy access to it.

Many decent and intelligent people oppose the State's intrusion into their private affairs, believing that the individual conscience is the first and

final arbiter in such an exercise as reading and that there is no place in a pluralist society, such as ours, for the State as a dictator of moral attitudes. Moreover, some of them believe—I certainly do—that censorship brings about effects which are the direct opposite to what its advocates plan for it, as in the case of Mary McCarthy's novel, *The Group,* whose sales because of vehement condemnation of it soared vastly beyond what otherwise it was likely to have had and then mainly among readers with seasoned literary palates.

Apropos is the story of the cardinal whose nephew had written a book and who asked the Pope to commend it to the public. "I'll do better for him than that", the Pope replied, "I'll put it on the Index". I suppose it is an apocryphal story, but it has value as illustrating what a ban can do to popularize a book. Which is not to say that some books should not be banned. I think some should be banned, that is, works of hard-core pornography, which is a hideous debasement of literature, as D. H. Lawrence stressed. But I do not think that a proper distinction between literature and pornography is always made.

The Bill has the merit of bringing literary censorship under allied Commonwealth and States control, thereby putting to an end the silly system under which a book which is banned in one State, notoriously Victoria, is or may be available for purchase by the citizens of another State and by Victorians who visit it. Clause 2 makes a sensible and timely alteration of the Victorian law and of procedures relating to prosecutions of alleged offenders by reserving authority to the Chief Secretary to order a prosecution in terms of section 166 of the principal Act, which flow from terms of section 165.

Clause 3 gives immunity to members of the National Literature Board of Review—would not a better title be National Board for Review of Literature?—from "any action arising from any opinion of the Board for the purposes of the Customs Act or corresponding State Act". I am inclined to think it might be necessary to extend that immunity to the Chief Secretary if he extends a practice, which he has engaged in at least twice, of addressing church gatherings on the effects of pornography and the misdeeds of some authors. Mary McCarthy, whom nobody in Australia did more than the Chief Secretary to publicize, might have envied the creative skill which the honorable gentleman employed in an address to an uncritical audience in his own electorate in describing how and why her novel came to be published. It was an admirable effort in fiction.

I regard the measure as likely to produce an improvement on the existing legal position in this State.

Mr. McLAREN (Caulfield).—The remarks of the honorable member for Albert Park on this Bill relating to obscene publications were very appropriate because, when considering the matter of censorship of books we must balance the personal liberty of the individual to read—I believe this is one of our essential liberties—with the obscene or pornographic literature that is very often available. Therefore, this is a question which must exercise greatly the minds of this Parliament and the people of the community whenever the subject is considered. In my view, legislation that will enable the various States and the Commonwealth to come together to institute a National Literature Board of Review, will place the matter on a more sensible basis than has been the case in the past. As the honorable member for Albert Park mentioned, the name, National Literature Board of Review, is not a correct expression of the intentions behind the appointment of such an advisory committee.

I emphasize that the membership of the National Literature Board of Review must be very well balanced

to enable it to undertake the grave responsibility of deciding what literature is obscene or pornographic, leaving to the Chief Secretary the necessity of taking any action for prosecution when this is necessary. I am sure the system can work. The need, at all times, to maintain the balance between personal liberty to read and obscene publications is important. Finally, taking into account the aspects I have mentioned, I believe that some form of censorship is needed in respect of a number of publications, especially of the cheaper type, which circulate amongst young people and also older people who read them in a salacious way.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2—

After section 166 of the Principal Act there shall be inserted the following section:—

"166A. No prosecution shall be taken against any person for an offence against section 166 in respect of any book pamphlet magazine or periodical otherwise than by a member of the police force with the written authority of the Chief Secretary given either generally or in any particular case."

Mr. LOVEGROVE (Fitzroy).—I move—

That, in proposed new section 166A, the words "given either generally or in any particular case" be omitted with the view of inserting the words "given in the particular case."

Mr. MANSON.—Do you want the word "any" changed to "the"?

Mr. LOVEGROVE.—Yes. I understand that the advice of the Parliamentary Draftsman is that this strengthens the alteration. It is significant in the sense that in every case written authority from the Chief Secretary will be required.

Mr. MANSON (Minister of State Development).—The Government is happy to accept the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as was the remaining clause.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

TULLAMARINE FREEWAY LANDS BILL.

The debate (adjourned from February 21) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. TURNBULL (Brunswick West).—This is an extremely interesting Bill which has an impact on certain residents of Brunswick West and also of Pascoe Vale, an area at present represented by the honorable member for Essendon.

Mr. WHEELER.—Very well represented, too!

Mr. TURNBULL.—Yes, but I sincerely hope that in the near future there will be a change in that representation. The introduction of the Bill is a serious matter, as I think the honorable member for Essendon will agree, because he and I spent a couple of hot Sundays explaining it to many people who live along Moonee Ponds creek.

One of the misfortunes of the situation is that the people affected by the construction of the proposed new Tullamarine Freeway read in their newspapers one morning a statement made by the Minister for Local Government—a member of another place—that their homes were to be acquired. They had had no previous knowledge of the matter. Ordinarily, when a man's land is likely to be taken for public purposes, a notice to treat is served upon him, but the people affected in this instance were shocked when they read in the daily press that their homes were to be taken for the purposes of the second stage of the freeway.

The Tullamarine Freeway is being constructed in two stages. The first stage passes through the middle class suburb of Strathmore, where ultimately approximately 175 homes will be

acquired. The honorable member for Essendon has informed me that about 70 of them have already been taken. For the second stage, which runs approximately south towards Flemington Bridge, 154 homes will go. Many of the owners had great difficulty in understanding this matter. Most of the 154 homes are in Pascoe Vale South, which, as I have said, is at present very well represented by the honorable member for Essendon. Of course, the honorable member is able to treat this matter somewhat lightly because he hopes—only hopes, of course—that shortly he will be crossing the Moonee Ponds creek to represent the City of Essendon.

In many of these cases, it is a question of big fish and little fish, and the big fish on the Essendon side were able to push us poor fish in Brunswick West a little, with the result that more homes are being taken on the Brunswick side and—what is of particular importance—parklands in the City of Brunswick will be destroyed.

Mr. WILKES.—While the parks of Essendon are untouched.

Mr. TURNBULL.—I shall come to that point. At present, the Moonee Ponds creek is the boundary between Essendon, the city of the *élite*, and Brunswick, the city of the workers.

Mr. BIRRELL.—You are a bit class conscious.

Mr. TURNBULL.—Yes, and I shall tell the honorable member for Geelong later why I am. The Bill seeks to revoke part of the Cultural and Recreational Lands Act which was agreed to by this House in December, 1963. The Honorable J. W. Galbally, Leader of the Labor Party in another place, brought in a Bill to prevent public authorities from taking parklands.

Mr. WHEELER.—The Honorable J. W. Galbally does not know anything about the area affected by this Bill.

Mr. TURNBULL.—He represents it. The Government took the attitude that Mr. Galbally's measure was an excellent piece of proposed legislation and adopted it. The Bill came from another place to this House and in due course was approved by Parliament.

According to a report published in the *Sun News-Pictorial* of 17th April 1965, the Premier stated that a minimum of parkland would be taken for freeways. In the case of the South-Eastern Freeway, he implemented that policy, because he changed the route a distance of approximately 730 feet. As a result, the cost of the work will be increased by $3,000,000 but 41 homes have been saved. However, that policy was forgotten when it was proposed to construct a freeway in the northern areas of Melbourne.

As I have said, the Cultural and Recreational Lands Act 1963 is an excellent piece of legislation which was sponsored by the Labor Party and adopted by the Liberal Party. I realize that you are aware of this legislation, Mr. Deputy Speaker, because you have been intensely interested in matters of this sort in your own electorate.

This Act—No. 7101—defines "recreational land" as, *inter alia*—

> lands which are used for outdoor sporting recreational or cultural purposes or similar out-door activities.

Members of the Country Party would be particularly interested in that part of the definition which states that "recreational land" means "lands which are used primarily as agricultural showgrounds", which are akin to lands used for recreational purposes. However, the definition goes on to provide—

> but does not in the case of lands referred to in sub-paragraph (i) of paragraph (*a*) of this interpretation include lands which are not held for an estate in fee simple by any such body unless such lands are held under a lease or licence from the Crown or from a municipality.

This splendid piece of legislation, so ably thought out by the Labor Party, provides in section 3—

> Notwithstanding anything in any Act or enactment—

notwithstanding anything in the Melbourne and Metropolitan Board of Works Act—

> the power conferred by or under any Act to compulsorily acquire land shall not extend to the compulsory acquisition of any recreational lands but nothing in this section shall operate to prevent the acquisition of such lands by agreement or the compulsory acquisition of recreational lands by or under any Act which authorizes the compulsory acquisition of specific recreational lands.

The whole purpose of the Cultural and Recreational Lands Act was that recreational lands were not to be interfered with, but no sooner had the ink dried on this noble piece of legislation than the Government brought in the Bill now under discussion to provide for the acquisition of middle-class homes in one area and of homes of working people in another area. My recollection is that when the Minister for Local Government was interviewed concerning this matter, he stated that no special legislation would be necessary to enable recreational lands to be acquired.

I am clear about that. However, this is not Board of Works but Government legislation. Obviously, the Government is using the Board of Works in this manner because the Board has specific powers concerning the construction of metropolitan roads.

Many people in the area in which I live believe that it would have been better to utilize the money which will be spent on the proposed freeway to establish a university in the country or to develop the country in some other way. The freeway will not materially improve the flow of traffic; it will be an ordinary highway and all and sundry will be able to use it. There is nothing in the Bill to indicate that traffic utilizing the freeway will be subject to regulation and, consequently, I anticipate that when the freeway is in operation, cars will bank up over long distances in the vicinity of Flemington Bridge. Instead of the freeway assisting in the free movement of traffic, it will simply create further traffic problems. There is a good deal to be said for the argument that the money could be better spent on some other project. In many ways, this Bill is premature.

Mr. WHEELER.—It should have been brought down years ago.

Mr. TURNBULL.—Certainly, the Government is very dilatory in many respects. If the Government had utilized the money which it proposes to spend on this project, the State would have been better developed. The freeway will run through several municipalities. Not many residents of Royal Park will be affected by the freeway, but many residents of other suburbs will suffer.

Mr. HOLLAND.—There are many complaints concerning it from residents of Royal Park.

Mr. TURNBULL.—Residents of Royal Park will not be evicted from their homes to make way for the freeway. Section 287 of the Melbourne and Metropolitan Board of Works Act deals with the powers of the Board in undertaking works through various areas, as is proposed with the freeway, which will pass through at least four municipalities. Obviously, the construction work involved will affect sewers, channels, drainage and streets. It states, *inter alia*—

> (1) Save as otherwise expressly provided with respect to any works authorized by this Part—

The Tullamarine Freeway will be authorized under the relevant Part, which is section 207 of the Melbourne and Metropolitan Board of Works Act. Shortly after you, Mr. Deputy Speaker, and I were first elected to Parliament, amending legislation was passed authorizing the Board to construct and manage arterial roads and bridges in the Melbourne metropolitan area, and since that time the Board

has been authorized to carry out projects such as the freeway to which this Bill refers. Section 206 of the Act provides, *inter alia*—

(1) The Board may from time to time recommend to the Governor in Council that a new metropolitan main highway within the metropolitan area be made (whether in whole or in part) on or through any land.

(2) The recommendation shall be accompanied by maps, plans and estimates showing—

(*a*) the points between which and the land on or through which it is proposed to make the highway, and what land it is proposed to take or purchase;

(*b*) the estimated cost of taking or purchasing the land and of making the highway;

(3) The Governor in Council may by Order approve the recommendation with or without notification or may refuse to approve it.

The proposed freeway has been authorized under the section from which I have quoted. Under section 287, the question of compensation for local councils will be resolved. If there is disagreement between the parties on this aspect, the difference of opinion must be decided by the Governor in Council.

I believe this measure is premature because the matters to which section 287 relate should have been resolved before work on the freeway commenced. Of course, the political jealousy which exists between Victoria and New South Wales, and the fact that the "barons" of the Melbourne City Council have pressurized the Government to keep up with Sydney, have been largely responsible for the freeway being undertaken at this stage. This Bill will repeal certain provisions of the Cultural and Recreational Lands Act 1963. The first material recital in the somewhat lengthy preamble to the Bill states—

And whereas the Melbourne and Metropolitan Board of Works proposes to construct a metropolitan main highway between Flemington-road and Mount Alexander-road in the city of Melbourne and a point north of Greenbank-crescent in the city of Coburg and portions of the said reserved Crown lands are required in connexion therewith:

The second recital of any consequence is—

And whereas the Melbourne and Metropolitan Board of Works intends to alter or divert part of the course of the Moonee Ponds Creek in connexion with the construction of the said highway and it is expedient to provide that such altered or diverted course shall vest in the Melbourne and Metropolitan Board of Works:

As honorable members appreciate, for some distance the freeway will follow the course of the Moonee Ponds creek, which bends and turns considerably in certain areas. This measure will not only authorize the Board of Works to acquire land for the construction of the freeway, but also empower the Board to straighten the Moonee Ponds creek to facilitate the construction of the freeway. A further recital in the preamble—and this is the nigger in the woodpile—reads—

And whereas it is expedient to make provision for the acquisition by the Melbourne and Metropolitan Board of Works of certain lands subject to the provisions of the Cultural and Recreational Lands Act 1963:

The ink has hardly dried, as it were, on the Cultural and Recreational Lands Act, but the Government, by this Bill, proposes to make big inroads into the parks and gardens of the City of Brunswick and also into the only area in that part of the City of Coburg which is affected, namely, Morris reserve, which is named after a gentleman who served the local council honorably for many years.

The Bill authorizes certain Orders in Council to be revoked. The real substance in the measure is contained in clause 8 which, in effect, empowers the Board of Works to acquire certain lands for the purpose of road construction works and variations to the course of the Moonee Ponds creek. Details of the work and variations are set out in the First and Second Schedules to the Bill, in which there are frequent references to parklands in the City

of Essendon, the City of Brunswick, and the City of Coburg. The First Schedule deals with areas of land concerning which the Board is not certain as to how much land will be required. After the work is a *fait accompli,* certain adjustments will be made between the Board of Works and the councils concerned.

So far as the Second Schedule is concerned, the areas of land which will be affected are quite specific. For the convenience of honorable members, I display a plan of the City of Brunswick which clearly sets out what is proposed in this locality. Municipalities have an obligation—they honour this obligation—to provide local schools with playing fields. Adequate playing areas are essential so far as the education programme is concerned. In West Brunswick, there are many primary schools, a high school, a girls' secondary school, and a technical school. Some of the lands used by these schools for playing space will be required for the Tullamarine Freeway and, no doubt, portion of the Morris reserve in Pascoe Vale South, which is adjacent to the Pascoe Vale South primary school, will also be utilized.

I invite honorable members to examine the proposed route of the freeway, which will pass through an area which has been temporarily reserved as a site for a hospital for acute mental diseases. This area is Crown land and, to that extent, the Minister of Lands is concerned with this measure. The land along the bed and banks of the Moonee Ponds creek is vested in the Board of Works, but a number of small areas of land at the top of the banks of the creek are Crown land. Certain Orders in Council will be revoked by the Bill to enable the freeway to pass through four areas of Crown land.

Under paragraph (*b*) of sub-clause (1) of clause 4, two areas of land, or two Orders in Council may be involved. In the City of Brunswick, Holbrook reserve, Denzil Don reserve, and Braddy reserve will be affected, as will be Morris reserve in the City of Coburg. As a result of correspondence between the Minister for Local Government and residents in the area, the Minister informed the residents that the acquired playing fields would be replaced, but to date nothing has been done.

The creek forms the boundary between the municipalities of Brunswick and Coburg, but when this project is completed, the *de facto* boundary will be the freeway. When the proposed route was altered—to save Ormond Park at the behest of the *élite* of Essendon—it was relocated farther west, which means that a greater part of Holbrook reserve, which is owned by the Brunswick City Council, will become a *de facto* park of the City of Essendon. Residents who will lose their homes through the construction of this freeway and the City of Brunswick have had an extremely bad deal from the Minister for Local Government.

I attended a deputation to the Minister from residents of Pascoe Vale South. They stated that as the area was a middle class community and the residents had helped put the Government into power, they were entitled to know what was going to happen; whether the Government intended to give them alternative homes or areas in which to live. The Minister informed them that he might be able to get one or two flats from the Housing Commission. These people have spent their lives building up their homes and cultivating their gardens, and this road will split the community in half. The residents will also be denied access to their shopping areas and their churches. The amenities of the neighbourhood will be destroyed, and no satisfactory arrangement to overcome the problem has been proposed by the Board of Works. As I said earlier, the legislation is premature because the problems should have been ironed out before the road was gazetted so

that fewer homes and fewer reserves would need to be acquired by the Board.

My comments concerning Brunswick also apply to Coburg. The land taken from parks in the municipality of Brunswick have not been replaced up to date. It is up to the Board of Works to find land to replace these areas. When the Brunswick City Council discussed the matter with the Board, it was pointed out where land could be purchased to replace the acquired sections, but the Board of Works did not accede to this proposal. One area mentioned by the council is owned by D. P. Kelly (Victoria) Proprietary Limited, which is open land and which is adjacent to a clay-hole between Victoria-street and Albert-street, Brunswick. This hole is well known to the honorable member for Essendon and most people in Melbourne. By arrangement between various municipalities and the Brunswick City Council, this hole has been filled, but the land proposed by the Brunswick City Council to replace the acquired area is between the face of the clay-hole and Albert-street.

Another area suggested by the council is the clay-hole on the south side of Albert-street. This area has been purchased by the Melbourne City Council and has been declared by the Board of Works, at the request of the Brunswick City Council, as open space. Eventually, the area will be filled, and the council suggested that the Board of Works should purchase this land. The Brunswick council was able to submit this scheme of replacement to the Board. Approximately 14½ acres of parkland within the City of Brunswick will be acquired, and only a few odd pieces of land along the creek have been offered in return. This land may have a steep bank and it may cost thousands of dollars to adapt it for use as sporting fields. This Government and the Board of Works have dealt a severe blow to the residents and the municipal council.

I have plans which show the effect of the project on various reserves in Brunswick, and which indicate that it is not possible to fit into the remaining areas sufficient playing fields for the various sports which are played in an area such as Brunswick. Local residents do not play polo; they play soccer and football. I have a plan relating to the Denzil Don Reserve.

Mr. WHEELER.—The North Melbourne Football Club tried to play on that ground.

Mr. TURNBULL.—The business people of Coburg supported that proposal, although I did not. On the Denzil Don Reserve, there is a soccer field, but when this project is completed, where will soccer be played? This Government has displayed little interest. At one stage, the Premier and the Minister for Local Government were invited to visit the area, and to explain the proposals to the local people.

Mr. WHEELER.—Who invited them?

Mr. TURNBULL.—The local residents. The Premier and the Minister did not visit the area. There were so many persons present at one deputation, that the Minister for Local Government was horrified, and at one stage he did not want to see them all. Of course, the local members braved the storm.

Mr. WHEELER.—You did not attend the first meeting.

Mr. TURNBULL.—I did not know that it was being held; I was not invited.

Mr. WHEELER.—The Premier did not know, either.

Mr. TURNBULL.—Of course the Premier did; it was publicized in the newspapers.

Mr. WHEELER.—Do you not read the newspapers?

Mr. TURNBULL.—Of course I read the newspapers. This was such a large proposal with devastating effects on so many people that the Minister for Local Government should have visited the area.

On the replacement of playing fields, in a letter dated 19th May, from the Secretary for Local Government to the secretary of the West Brunswick Progress Association, it was stated, *inter alia*—

Re MELBOURNE AND METROPOLITAN PLANNING SCHEME—OBJECTION 843.

It is the Melbourne and Metropolitan Board of Works intention to replace any active playing fields reserved for those purposes. In the design of the freeway every effort will be made to observe existing aesthetic features.

The Bill makes no provision for the replacement of existing playing fields, nor is there any indication that every effort will be made to observe existing aesthetic features of the area. On the contrary, the proposals contained in the Bill will destroy every aesthetic appearance and value which the valley ever had. In its natural state, it was a good area, especially in the spring, and I assure you, Mr. Speaker, that it was a bad day when the freeway was planned in the way it was.

I have been asked by the Coburg City Council to express its disappointment at the way in which the Government considered the alternatives to the proposed freeway. The Coburg City Council submitted a proposal—I do not know whether the honorable member for Essendon approved of it—which would have done no harm to any householder.

Mr. WHEELER.—It would have done no good, either.

Mr. TURNBULL.—From the plans, it is clear that the direct route would be along Mt. Alexander-road.

Mr. WHEELER.—That proposal would spill more traffic on to an already busy road.

Mr. TURNBULL.—The Coburg council's proposal was to superimpose a roadway over the Essendon railway line. This was designed by engineers in the area and would have caused no hardship to local residents, although it might have cost a little more. That proposal was scrapped without much consideration being given to it.

The Board's plan, before pressure was applied by the *élite*, by the owners of the racecourse and by those who support racing, was to follow the existing route to Dean-street, then go along Mount Alexander-road. Only a few homes in the south-west of Brunswick and the southern part of the race track would have been affected. The policy of this Government seems to be the authorization of extra dog or trotting meetings. I should have thought homes would be more preferable from the community point of view and that some land should be taken from the southern side of the Moonee Valley racecourse. To avoid the taking of land from the racecourse, it has been suggested that the road should be routed a little to the east into Brunswick. Many people have accepted compensation, and, as the honorable member for Essendon said, it is inadequate.

Mr. WHEELER.—I did not say it was inadequate—that is incorrect.

Mr. TURNBULL.—I accept the statement of the honorable member for Essendon, and I withdraw my remark. Several people have accepted compensation. Pascoe Vale South is an excellent area and is only 5 miles from the City of Melbourne.

Under the scheme proposed by the Board, the residents have been scattered like common geese that cross the roadway in the paths of motor cars. Many people have complained about the inconvenience and outlay involved in purchasing new homes, for which no compensation has been paid. Instead of living only 5 miles from Melbourne, these people are now forced to buy properties 15 miles from the city, and in many cases, no public transport is available. The distressing feature of the present route of the freeway is the plight of the people remaining in the area.

As the honorable member for Essendon well knows, the road will be so close to certain properties that the owners will be able to hose the freeway from their front gardens. They will be cut off from the community interests of shops, halls, schools and churches—traffic from the airport will thunder down the freeway at all hours of the day and night, with a consequent depreciation of the value of the adjacent properties.

The Town and Country Planning Act provides for the payment of the difference in market value of the properties before and after the freeway works. In the case of many of these properties, this could involve the sum of $2,000 or $3,000. I tried to get some sense from the Board of Works, and, in a letter from the Board to the town clerk of the City of Coburg dated 13th January, 1966, it was stated—

> In the event of claims for compensation being made, the Board would deal with these under the provisions of the Town and Country Planning Act, but it is not possible at this stage to say when a direct approach to all property owners affected will be made.

The Board admits that it is bound by the Town and Country Planning Act. There is no doubt that the Government's proposal to construct the freeway is to satisfy some people in the community. In a letter dated 29th August, 1966, to the town clerk of the City of Coburg, in relation to parklands, the Minister for Local Government stated—

> The Board is obliged fully to replace any parkland which is unavoidably required for the purposes of this freeway. This principle is acknowledged, and is a firm requirement. It applies both to the Morris Reserve and to undeveloped council land in the vicinity of the Bell-street interchange. The Board has indicated that it will confer with the council as to the best means of replacing this parkland, and I suggest that the necessary discussions should take place as soon as possible.

I understand that the discussions have been continuing for some time.

Mr. MANSON.—That is fair comment.

Mr. TURNBULL.—When he introduced the Bill, the Minister of Lands said that, so far as the City of Coburg was concerned, it was not practicable to replace the Morris Reserve. There is no available land left in the area, unless it is proposed to buy private land at a cost to the council of approximately $1,000,000. The Board of Works has said that, so far as depreciation of the properties is concerned, it will abide by the provisions of the Town and Country Planning Act. However, the Minister for Local Government has to be careful with the money, and he has different ideas —the Minister and the Board of Works are two different entities—because he further stated—

> I have discussed with the chairman of the Board the question of any properties which, although not reserved for the purposes of the scheme, may yet suffer detriment and loss of value through the construction of the freeway itself, or of access roads, overpasses, &c. There is no provision in the Act for direct compensation in such cases.

A complex situation has developed in the area and the roads are sometimes above and sometimes below the ground. Who is to be believed—the Minister or the Board? The Minister of Lands, who is in charge of the Bill in this House, should give an undertaking to those unfortunate remaining landowners that they will receive compensation in accordance with the Town and Country Planning Act, or indicate that, because of the creek, they will be left to live in a derelict area cut off from Coburg and Essendon. They will be neglected by the Government and the Board. For the reasons stated the Opposition proposes to vote against the Bill.

Mr. WHEELER (Essendon).—The honorable member for Brunswick West made a dismal attack on the proposed Tullamarine Freeway, which is to be constructed from funds from the Roads (Special Projects) Act that was passed by this Parliament eighteen months ago. Money has now become available, and the Government is in a position to make provision for freeways to give reasonable

access into and out of the City of Melbourne. It is interesting to note that the Opposition opposed the Roads (Special Project) Bill in this House, but the benefits of that legislation can be seen throughout Victoria.

Mr. FLOYD.—Car drivers are the only persons who have benefited.

Mr. WHEELER.—It should be realized that, in our affluent society, there is one motor car for every 2.5 people. The original plan for the Tullamarine Freeway was exhibited in approximately 1948, when the reservation of land was almost identical with that now under discussion. It has been slightly amended because it was realized that the original reservation could not carry the present density of traffic. Despite all the statistics at hand, and the specialists, engineers and town planners available, the Board of Works could not possibly foresee that this particular road reservation was inadequate when the original plan was envisaged. I cannot criticize the Board for that failure. It is of no use now talking about alternative proposals because a start has been made on the project. Near Flemington-road, work is in process to realign the creek. A great deal of planning work has been undertaken on the project generally; people have approached the Melbourne and Metropolitan Board of Works to buy their properties and many settlements have been effected. Some persons have moved to other areas. It is a waste of time to talk about alternative proposals at this stage.

I intend to examine some of the alternatives put forward by the honorable member for Brunswick West. One hypothetical alternative was to construct a mushroom type road over the railway line from Pascoe Vale station to the city. That is a ridiculous proposal because the road would go in a semi-circle, which is contrary to present-day planning procedures. Another proposal put forward by Councillor Sanger was for the freeway to traverse Mt. Alexander-road and for the acquisition of properties south of Moonee Ponds junction for further road construction. The main objection raised by the honorable member for Brunswick West was to the acquisition of properties. If Councillor Sanger's proposal were adopted, two volumes of traffic would be concentrated into Mt. Alexander-road, which at present is carrying more traffic than is reasonable. Another proposal was to construct the freeway through the Moonee Valley racecourse and spill the traffic out on to Mt. Alexander-road, again doubling the traffic that that thoroughfare is now carrying. Those proposals are ridiculous and absurd.

The main problem confronting local members at present is to ensure that adequate compensation is paid to the people whose properties are taken. I have made representations on behalf of some residents who have not received adequate compensation, and in my opinion it should not have been necessary for me to do so. The honorable member for Brunswick West said that the businessmen in the city wanted the freeway, but I point out that this freeway will benefit the State as a whole. International travellers will also benefit.

Mr. B. J. EVANS.—Do not delude yourself.

Mr. WHEELER.—The interjection by the Deputy Leader of the Country Party is a clear indication that he knows nothing about Melbourne and its access roads. When this freeway is constructed, the huge transports which bring merchandise to the city will travel along the Hume Highway, Barrys-lane, Pascoe Vale-road and then along the freeway from Pascoe Vale into the city, thus by-passing congested Sydney-road. In my opinion it is incorrect to refer to this project as the Tullamarine Freeway; its main purpose is to provide a by-pass for Sydney-road. Time and time again, I have made representations in this House for an alternative exit from the city to serve the northern part of the State, yet the

Deputy Leader of the Country Party says that this project will benefit only the residents of Melbourne. On the contrary, it will give transport operators a comfortable route into and out of the city.

In the initial stages, the public relations activities of the Melbourne and Metropolitan Board of Works were bad, and I have nothing but condemnation of the Board for the manner in which it handled the matter in the first place. I do not know what action it will take in the future. In my opinion, the Board should have prepared a proper plan, put it on exhibition and invited the people concerned to lodge objections. However, this was not done. By devious means some people found that their homes would be affected, and a public meeting was called on a Sunday morning. The honorable member for Brunswick West did not attend that meeting; he said that he knew nothing about it. A circular issued in connexion with the meeting stated that the Minister for Local Government would be in attendance, but the honorable gentleman had advised the convenors of the meeting that he would not be present. Yet, he was condemned through the press and by other means for not being there.

The most important matter concerning this project now is to ensure that the people whose properties are acquired are adequately compensated for disturbance. They will have to move their goods and chattels, leave their friends, schools, churches and social activities behind them and make new friends elsewhere. It is not possible to compensate people in dollars for such a move. When speaking at a deputation to the Minister for Local Government, Councillor Arthur Sanger asked the Minister whether he would make representations to the Government to control the purchase and sale of motor cars.

Mr. WILKES.—Were you at the deputation?

Mr. WHEELER.—Yes, and I am quoting from the official transcript.

Mr. TURNBULL.—He is your opponent in Essendon.

Mr. WHEELER.—Yes, and I welcome that. The statement he made at the deputation was ridiculous.

Mr. CHRISTIE.—That we should go back to the horse and buggy days?

Mr. WHEELER.—That is so. I am concerned about the loss of recreational reserves in the Pascoe Vale area, particularly Morris reserve which contains two ovals. At present, it provides a breathing space for the people of Pascoe Vale and it is virtually to be ruined. The honorable member for Brunswick West said that the Minister in his second-reading speech stated that this reserve could not be replaced. To clarify the position, I shall read what the Minister said in this regard. His statement was—

> In regard to Morris Reserve, which is in the City of Coburg, no suitable alternative area in the immediate vicinity has been located, but the Board is prepared, in consultation with the council, to provide a suitable replacement. It is also intended, after consultation with the respective councils, to provide additional areas for open space purposes, to replace other unimproved lands affected by the project.

I was speaking to the Minister this morning, and from the information he gave me it is obvious that other areas can be obtained. I do not suggest that they will be as suitable as Morris Reserve, but we have to bow to progress. This freeway must be constructed, and I have never said otherwise. At the public meeting to which I referred earlier, I said that I would not oppose the construction of the freeway. I also stated that I would not be a party to any action that might cause the northern suburbs to develop into a satellite town because of lack of access to the City of Melbourne, but I would play my part in ensuring that the people affected received adequate compensation for their homes.

It is my belief that the planners have erred, because no provision has been made for access to the freeway at Bell-street. In order to provide such access more homes would have to be acquired, but I am not sure how many would be needed. To cater for traffic going west and turning south into the City of Melbourne, provision for this access should have been made in the original plan. We will live to regret the day that this action was not taken.

However, work has started, and it would be difficult to do anything about it now. I reiterate my condemnation of the Board for not making provision for these roads in the first place. Surely the Board was advised that a wider roadway than is proposed would be necessary. I hope the State of Victoria will benefit greatly from the action taken by this Government in introducing this Bill.

On the motion of Mr. CHRISTIE (Ivanhoe), the debate was adjourned.

It was ordered that the debate be adjourned until later this day.

PETROLEUM (BARRACOUTA AND MARLIN FIELDS AGREEMENT) BILL.

The debate (adjourned from February 21) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—The repercussions which will flow from the proposed legislation and the agreements which will be made under it are of tremendous importance. The provisions of the Bill and the schedule setting out the form of agreement to be made grant overriding powers. Clause 4 provides—

> (1) The Agreement is hereby ratified validated approved and otherwise given effect.
>
> (2) The following provisions shall be read as in aid of and not in derogation from the provisions of the last preceding subsection:—
>
> (*a*) The Premier and all other Ministers of the State of Victoria and all public statutory corporations and all officers concerned are hereby empowered to carry out the agreement and to grant the licences referred to therein;

I cannot recall a provision in any other Bill as far-reaching as that.

> (*b*) This Act and the agreement shall take effect notwithstanding anything in any Act or in any proclamation regulation Order in Council by-law lease licence authority permit or agreement under any Act; and every Act proclamation regulation Order in Council by-law lease licence or authority or permit or agreement shall by virtue of this Act be deemed to be modified to the extent necessary to give full force and effect to this Act and the Agreement (but not further or otherwise) and shall be read and construed and take effect accordingly.

In other words, the entire contents of the statute-book are to be overridden to the extent necessary to give full effect to this measure. No law which conflicts with the Bill will have any effect on the operations of the proposed Act or of the agreement. Clause 5 states—

> (1) Except in so far as the express provisions of any licence granted by the Minister pursuant to this Act are inconsistent with any law in force from time to time the provisions of any such law shall apply to and in relation to the exploration for and the exploitation of the natural resources, being petroleum, of any licence area by the companies.
>
> (2) For the purposes of the application of the Petroleum Act 1958 and the Mines Act 1958 and of any regulations thereunder in force from time to time any licence granted by the Minister pursuant to this Act shall be deemed to be a petroleum mineral lease granted to the companies under the Petroleum Act 1958 and the companies shall be deemed to be the lessees thereunder.
>
> (3) Without affecting the generality of the last preceding sub-section the companies shall not be required to comply with the provisions of sub-sections (1) and (2) of section 33 of the Petroleum Act 1958.

The Bill first provides that any law which conflicts with the proposed legislation or agreement shall have no effect, and there is specific reference to the Petroleum Act and the Mines Act to make doubly sure that any possibly conflicting provisions in those Acts will have any effect.

Mr. JONA.—Do you think other Acts should interfere with it?

Mr. STONEHAM.—In this instance, the Government has obviously set out, in an unprecedented way, to accommodate the other party to an agreement. It is a matter of great regret to Australia that B.H.P., through Haematite Explorations Proprietary Limited, ever entered into an agreement with Esso Explorations Australia Incorporated which, of course, has now become Esso Explorations and Production Australia Incorporated. Even without Esso, B.H.P. would have discovered these fields.

Mr. CHRISTIE.—With what equipment?

Mr. STONEHAM.—Having regard to the accomplishments of B.H.P. in the development of Australia to the present, I am confident that the task of discovering the fields was not beyond the scope of the company.

Mr. CHRISTIE.—It is a question of time; it could have taken five years.

Mr. STONEHAM.—B.H.P. might have found it necessary to engage, by tender, the services of overseas expert organizations with vast experience in this work.

Mr. CHRISTIE.—In other words, B.H.P. should have hired another company, instead of going into partnership with it?

Mr. STONEHAM.—Yes. I regret that the company took Esso into partnership, because the entry of Esso into this enterprise has introduced the controversial question of the penetration of Australian industries and resources by foreign interests.

Mr. G. O. REID.—Without that, you would have had nothing to talk about.

Mr. STONEHAM.—The Labor Party would have had something to say, but it would have been said in a more amicable spirit, because, if the Government and the Gas and Fuel Corporation had been enabled to negotiate with B.H.P. itself, an entirely different spirit would have prevailed. It is difficult to estimate how far the foreign penetration of our industries and resources will go. While the Opposition reserves the right to disagree with the activities of B.H.P. on many occasions, it can certainly express its admiration for the contribution that company has made to the progress of the Commonwealth. If the Government had dealt with B.H.P. alone, the bitter controversy which has arisen would not have occurred. I am sure that the Government would have given a much better account of its negotiations, and would not have had everything "put over it," as it had when dealing with Esso, with detrimental results to the people of this State.

As I said, the Government has certainly gone out of its way to have the Bill drafted in such a way as to satisfy the most exacting lawyers from New York whom Esso could bring here. Whether the American lawyers drafted the particular clauses to which I have referred, I do not know.

Mr. DARCY.—As a matter of fact, those clauses are designed to fit in with the Common Code, which the 1958 Act does not quite do.

Mr. STONEHAM.—I suppose that, in some respects, what the Minister says is true, When that Common Code is ultimately produced for our inspection, we will find that this Bill is in some way a forerunner of some provisions of the code. Although this Bill rides roughshod over all sorts of Acts of Parliament, some legislation will have to be amended if what appears in the schedule of the Bill becomes the form of a petroleum production licence. For instance, there would have to be considerable amendment of the Petroleum Act and of the Mines Act. The Government has spared no effort to streamline procedures and to cut away the provisions of Acts of Parliament in order to permit this Bill and agreement to be presented to the House.

The Labor Party will not oppose the passage of the measure.

The *Australian Financial Review*, published to-day, contained a most interesting article, from Lea Fitzgerald in New York. It is headed "A U.S. View of our Bluest Chip", and it bears out our attitude. It reads—

A giant "Midas touch" pat on the back for Broken Hill Proprietary Company Limited, its works and future is given in a five-page survey by the influential U.S. magazine "Business Week."

The well-illustrated article headed "Striking It Rich Down Under" is one of the most flattering corporate analyses ever published by the widely-circulated McGraw-Hill weekly.

Honorable members who have visited the United States of America will know of the standing of that publication, and praise for B.H.P. in those terms is praise indeed. In regard to the profitability of the Esso-B.H.P. undertaking, I shall quote another paragraph in the same article, which completely supports the view which the Labor Party advanced in this House on a previous occasion. This part of the article is a direct extract from the New York magazine *Business Week*—

Probably the most notable example of B.H.P.'s successful quests was its discovery, with Esso, of natural gas off the coast of Victoria.

There is then a sub-heading "Gas Bonanza", and that term has been frequently used in this House.

A Melbourne stockbroker figures that within five years of natural gas being introduced in Melbourne, the gas income of B.H.P.-Esso will be about $20,000,000 a year.

That is profit.

Mr. MEAGHER.—It is income.

Mr. STONEHAM.—Surely I do not have to read entirely at the behest of the honorable members interjecting, but I shall continue—

One B.H.P. executive believes it may prove to be the company's most important move—even overshadowing the great leap into steel making.

That is a remarkable statement for anyone to make. B.H.P.'s entry into steel making was one of the most phenomenally successful happenings in Australia's history. I repeat that the profit expected from the natural gas enterprise is $20,000,000 a year. The article I have read entirely bears out what the Labor Party has said.

I refer to another article in to-day's *Australian Financial Review* for verification of the attitude I took last week about the resources which have so far been discovered in Bass Strait. The Minister of Mines was one who took it upon himself to smile tolerantly when I asked the Premier whether oil had been discovered there. He was sniggering and suggesting that I was very much behind the times.

The article states—

B.H.P. announced to stock exchanges yesterday that its wholly owned subsidiary, Haematite Exploration Proprietary Limited had been notified by Esso Exploration and Production Australia Incorporated that, in its opinion, commercial quantities of natural gas had been discovered in the offshore field in Bass Strait known as the Marlin field.

The agreement before the House to-day relates to that field.

Accordingly, Esso has submitted development proposals and, when these have been studied, Haematite will decide whether to take a 50 per cent. working interest or a 12½ per cent. royalty interest in the lease covering the field, the announcement said.

The proposals submitted by Esso do not purport to evaluate the oil potential of the Marlin field . . .

A number of back-bench members on the Government side of the House were evaluating the oil potential of this field last week. According to the Premier, it was supposed to produce the most wonderful oil in the world because it was going to be all petrol and no fuel oil. The honorable gentleman's statements are recorded in the current *Hansard*, where at page 3215 he is reported to have said—

The Leader of the Opposition threw into the ring, as it were, a statement to the effect that Esso was interested in fuel oil.

I pointed out that there might be some doubt as to what the discoverers would want to push—natural gas or fuel oil. The Premier assumed that I was referring only to fuel oil from Bass Strait. The Esso company has tremendously wide interests in fuel oil from refineries other than the oil that will come from Bass Strait. The *Hansard* report continues—

Mr. STONEHAM.—You say that they will find oil.

Sir HENRY BOLTE.—The oil that has been discovered contains no fuel oil.

Mr. STONEHAM.—Why were we not informed of that?

Sir HENRY BOLTE.—We are not entering into any new agreement on oil with the producers. In any event, the housewives will not be fleeced if there is fuel oil in the gas. I cannot agree that the private business of companies should be made public at the whim of anybody. It is common knowledge that the oil that has been found in Bass Strait contains no fuel oil component.

It has also been suggested that with three more fields in operation, Australia will have sufficient petroleum to meet all her requirements.

It was put to us, as an accomplished fact, that the petroleum problem of Australia had been solved. The Premier further stated—

If there is sufficient petroleum for the whole of Australia and no residual fuel oil is obtained from it, I fail to see how fuel oil could become a great competitor of natural gas. In fact, it is not unlikely that over the years it will still be necessary to import fuel oil for the production of bitumen and other derivatives.

Mr. DARCY.—Samples of this oil have been on exhibition at the Mines Department offices in Russell-street.

Mr. STONEHAM.—The Minister of Mines has not spoken on any of the previous Bills relating to this subject. I remind honorable members that last week the Premier stated that Australia's oil problem had been solved by the discovery of the Marlin field in Bass Strait. Yet, B.H.P. stated yesterday, as reported in the *Financial Review*—

The proposals submitted by Esso do not purport to evaluate the oil potential of the Marlin field, which, following the inconsistent results obtained in the three wells drilled to date, are still conjectural.

This statement demonstrates how ill-informed members of this Government are; they do not know what they are talking about. Members of the Opposition proved last week that not only did they not know but also that they did not want to know. The report in the *Australian Financial Review* continues—

The proposed development project under review provides for equipping the field for natural gas production.

That is as far as B.H.P. is prepared to go at present.

At the same time, provision would be made for the drilling of development wells from a fixed platform to enable further assessment of the oil potential and for some limited production of oil, which is expected from the vicinity of the installation.

When Haematite has reached a decision regarding these proposals, a further statement will be issued.

We are all indebted to the *Australian Financial Review* for the reproduction in full of that statement by B.H.P. The decision that confronts Haematite is whether it will condescend to accept a royalty of 12½ per cent., or go in, as it has in the Barracouta field, with Esso on a 50-50 basis. As I previously explained, all that B.H.P. has in respect of the Marlin field is a scrap of paper. I do not know that it even bears the signature of the Minister. Did the Minister sign it, or was it signed by an officer of his Department? B.H.P. holds only a scrap of paper, which is an exploration permit.

Mr. DARCY.—It was signed by the then Minister of Mines.

Mr. STONEHAM.—That paper may be blown away, torn up or even cancelled. Yet, in return for that, the Esso company is prepared to pay a royalty of 12½ per cent., and the people of Victoria, who own the natural gas and oil and anything else that may be discovered, will obtain only 10 per cent. B.H.P. gets 12½ per cent. for this scrap of paper and the people of Victoria get 10 per cent. I can inform the House in advance what B.H.P.'s decision will be

through the Haematite company. Naturally, it will go in again on a 50-50 working arrangement. That is why this gentleman in New York writes that the profit of the two companies will be of the order of $20,000,000 a year.

At present there is a lot of talk that a petrol price rise is in the offing. Naturally, people are asking whether the extra income that the oil companies will derive by this means from consumers of petrol will be used to further subsidize the dumping of fuel oil at an even cheaper price in this State, first, against our indigenous brown coal briquettes, and, secondly, in preparing to combat the entry of natural gas into the fuel market. I wish to be informed of the Government's attitude towards the proposal to increase the price of petrol.

The DEPUTY SPEAKER (Mr. Christie).—Order! The honorable member is going beyond the provisions of the Bill.

Mr. STONEHAM.—As I said, I am sure that B.H.P., on its own, would have discovered the natural gas field, which would have been developed in different circumstances because of the absence of the Esso company. As a nation, we have permitted foreign combines to penetrate, far too much and far too easily, our most valuable and coveted industries and to exploit our most precious resources. This sort of thing must be stopped. If it is not, the serious social and political repercussions that have arisen in various parts of the world will unquestionably eventually arise here.

I could speak on many aspects of the agreement. I have previously taken the opportunity of referring to the price negotiations and the regrettable fact that the Government agreed to the payment of a price of 3 cents a therm ex the treatment plant, which is obviously excessive and will greatly curtail the development potential of natural gas in Victoria, thereby depriving the people of the great bonanza that was rightly theirs.

Mr. MEAGHER.—Is this field in Victoria?

Mr. STONEHAM.—To the best of my knowledge, it is.

Mr. MEAGHER.—It is not.

The DEPUTY SPEAKER (Mr. Christie).—Order! I invite the Leader of the Opposition to continue his speech.

Mr. STONEHAM.—If the constitutional position is as doubtful as the remark of the Minister of Transport suggests, perhaps this debate should be adjourned so that the Government can explain the position.

Mr. MEAGHER.—When has it been suggested that Bass Strait is part of Victoria?

Mr. STONEHAM.—The continental shelf is part of Victoria.

Mr. MEAGHER.—It is not.

The DEPUTY SPEAKER.—Order! The Minister of Transport may speak later in the debate.

Mr. STONEHAM.—I did not realize that the Minister of Transport had been privy to the discussions that have taken place between the Commonwealth and the States on this vexed constitutional question. We had been informed that the "legal eagles" of both the Federal and the State Governments were fully occupied on the question. However, it would seem that the Minister of Transport already has a clear grasp of the situation, and I think he is in duty bound to inform the House.

Mr. DARCY.—This was all contained in the 1965 Ministerial statement.

Mr. STONEHAM.—By whom was the statement made?

Mr. DARCY.—It was made by me in this House in 1965.

The DEPUTY SPEAKER (Mr. Christie).—Order! This is no longer a debate but a conversation piece between the Leader of the Opposition and the Minister. I invite the Leader of the Opposition to pursue his case.

Mr. STONEHAM.—I seek an assurance from the Minister that he intends to make a contribution to this debate. I should like either the Minister of Transport or the Minister of Mines to give honorable members the benefit of their knowledge on this constitutional question because I have been led to believe that the resources in question belong to Victoria. If that is not so, why is Parliament asked to pass this Bill? I shall be delighted to take part in the debate when this point has been clarified by the Minister.

Mr. B. J. EVANS (Gippsland East).—The discovery and production of natural gas in this continent and in this State is a new prospect. In its wake it is bringing a number of new problems in regard to which the ordinary man in the street finds difficulty in keeping up to date. I class myself in that category. We do not receive much help from the Government in our endeavours to understand the complexities of the problem. It does not appear to be prepared to take the people into its confidence in relation to its proposals for the future development of the State's valuable natural resources.

In his Speech at the last opening of Parliament, His Excellency the Governor compared the current discovery of natural gas with the discovery of gold in Victoria in the early 1850's. I do not think any honorable member needs reminding of the tremendous impact that the discovery of gold had on the development of the State. I think it is very much in the air whether we shall see similar consequences flow from the discovery and development of natural gas. We should like to believe we can look forward to this in the years to come, but the further we go, and the more I learn about this subject, the more convinced I become that, while the discovery and development of this natural resource will add to the development of Melbourne, it will do very little for the other parts of the State. I think it will aggravate rather than offset what many of us regard as problems relating to the centralization of our population in this great metropolis.

The DEPUTY SPEAKER (Mr. Christie).—Order! In discussing these aspects the honorable member is getting wide of the Bill, which relates to an agreement.

Mr. B. J. EVANS.—Mr. Deputy Speaker, I appreciate your guidance and shall endeavour to deal more specifically with the terms of the agreement. In examining the situation concerning the discovery of natural gas and oil off the Gippsland coast, as evidenced by the closing remarks of the Leader of the Opposition, we realize that in this Commonwealth we have some very complex constitutional problems which perhaps do not obtain in other parts of the world. So far as I am concerned, certain aspects are far from being clear. Like the Leader of the Opposition, I should have preferred to receive more information and definite opinion on the constitutional position in regard to not only the production of natural gas, but also its distribution. I should also like to know more about the constitutional problems involved in the supply of natural gas to other States; I appreciate that that aspect may be outside the terms of the Bill.

The measure is concerned primarily with the rights of the companies concerned to develop the field and to hold certain rights for other areas in the immediate vicinity of the discovery. From my understanding of the importance of the Barracouta and Marlin fields, it seems that the prospecting companies have a very good proposition because the proportion of wells proved to contain oil and

gas deposits is very high by world standards. It appears that this part of the Commonwealth is extremely productive. Furthermore, it can be assumed that the companies are anxious to have the agreement ratified because, speaking in the vernacular, they are on a good thing. However, the Country Party does not wish to delay the passage of the Bill, because its members realize that until the agreement has been ratified the discovering companies cannot be expected to proceed with the very heavy expenditure in which they will be involved in developing the fields.

We believe that however the natural gas resources are developed they will be to the benefit of the State as a whole. We do not wish to delay the legislation in any way. In view of the location of the fields off shore, we would have preferred the Government to provide more information and more time in which to examine this complicated arrangement, to consider the constitutional problems involved and to ascertain whether the fields are within the jurisdiction of the State or the Commonwealth. I do not think the Government has given honorable members a fair go in regard to the length of time available to consider the Bill, which nevertheless we shall support.

The motion was agreed to.

The Bill was read a second time, and committed, *pro forma.*

Mr. DARCY (Minister of Mines) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

The House went into Committee for the consideration of the Bill.

Clause 1 was agreed to.

Clause 2 (Interpretation).

Mr. DARCY (Minister of Mines).—I wish to make a few general comments relating to points raised during the second-reading debate. First, the Leader of the Opposition charged the Government with having sold out this State to foreign interests. I assert that there is no other company or industry operating in this State, and probably in Australia, in which there is such a high Australian content as in the operation with which we are concerned. The Leader of the Opposition and the Deputy Leader of the Country Party referred to the constitutional issues between the States and the Commonwealth. I point out that the Premier adverted to this matter in his second-reading speech. While the Government has been accused of neglecting the State's resources, it must have been made very clear to all concerned in 1965, when I made a Ministerial statement on the subject, that this matter had been overcome. I shall set out the history of the matter. The jurisdiction of the State of Victoria extends with certainty only to the 3-mile limit. Outside that limit is the continental shelf, which belongs to the Commonwealth, so to speak, and in respect of which it has sole rights.

Mr. B. J. EVANS.—How far out does Commonwealth ownership extend?

Mr. DARCY.—The continental shelf is determined by the depth of water. I cannot tell the honorable member what that depth is, but there is an international agreement in relation to it. After the continental shelf adjacent to Victoria there is the Tasmanian continental shelf.

Mr. STONEHAM.—Are they contiguous, or, is there something in between?

Mr. DARCY.—The continental shelf is determined by the depth of water. In reply to the suggestion that the Government had neglected to protect Victoria's interests, I thought it had been clear since 1965 that all of the States had reached

an agreement with the Commonwealth on this matter. Victoria initiated the negotiations. Before any discovery had been made, the Victorian Government said to the Commonwealth Government, "We shall do some horse-trading with you."

Mr. STONEHAM.—Why are you contradicting the Minister of Transport? He said the continental shelf was not part of Victoria.

Mr. DARCY.—The Minister may be correct. I am explaining why this State will receive a share. The Victorian Government said to the Commonwealth Government, "We shall do some trading with you. We will share with you everything that is discovered within the 3-mile limit if you will share with us discoveries made on the continental shelf."

Mr. FENNESSY.—When was this?

Mr. DARCY.—Two years ago.

Mr. FENNESSY.—Is it on record?

Mr. DARCY.—Yes, in the Ministerial statement of 1965.

Mr. STONEHAM.—Is the continental shelf part of Victoria?

Mr. DARCY.—Jurisdiction is in doubt; it may be part of the Commonwealth.

Mr. STONEHAM.—But the Commonwealth is made up of the States. What part of the Commonwealth would it be if it is not part of Victoria?

Mr. DARCY.—This is what the Premier meant when he said during his second-reading speech that we were endeavouring to overcome and avoid constitutional difficulties. There can be no doubt that the State is sharing the proceeds with the Commonwealth. Originally, the basis was to be 50-50, but now this State is doing better than that; the basis of sharing with the Commonwealth is 60–40 in Victoria's favour. I am astounded that certain honorable members do not know the quality of the oil that has been discovered in Bass Strait.

Mr. FENNESSY.—Who said that?

Mr. DARCY.—The Leader of the Opposition asked, "Why were we not told?"

Mr. WILKES.—I, too, ask, "Why were we not told?"

Mr. DARCY.—Samples of this oil have been on exhibition at the Mines Department offices in Russell-street for many months.

Mr. FENNESSY.—What does that mean?

Mr. DARCY.—If honorable members required further information, they had only to ask officials of the Mines Department to look at it.

Mr. STONEHAM.—Is there any fuel oil in it?

Mr. DARCY.—I will not go into that matter any further. I think I have answered all the queries that have been raised.

Mr. STONEHAM (Leader of the Opposition).—I am sure all members are indebted to the Minister of Mines for having elucidated this complex constitutional point. If the continental shelf off the coast of Victoria is not part of the State of Victoria, and if that is not the reason why the Legislative Assembly is dealing with this Bill to-day with respect to the Barracouta and Marlin fields——

The ACTING CHAIRMAN (Mr. Wiltshire).—Order! Clause 2 is being debated, and it is usual for the Minister in charge of the Bill to be allowed to answer any points raised during the second-reading debate. However, this is a privilege extended only to the Minister, and a debate on the manner in which he has answered the questions that have been raised cannot be allowed. The Leader of the Opposition must confine himself to clause 2.

Mr. STONEHAM.—I wish to have the discussion confined to the clause. It states, *inter alia*—

In this Act unless inconsistent with the context or subject-matter—

(*a*) "the Agreement" means the Agreement a copy of which is set out in the Schedule;

The schedule contains the agreement, and it is precisely that agreement to which I refer.

The ACTING CHAIRMAN.—Order! I think this matter would be more appropriately debated when clause 4, which ratifies the agreement, is under consideration.

Mr. STONEHAM.—Very well.

The clause was agreed to, as was clause 3.

Clause 4 (Agreement to be ratified).

Mr. STONEHAM (Leader of the Opposition).—The Government is guilty of a serious misdeed. If the Government is certain—it has more than a grave doubt on the matter—that the areas from which the gas and oil are to be taken have nothing to do with Victoria——

Mr. DARCY.—Of course they have to do with Victoria.

Mr. STONEHAM.—The Minister of Mines contradicts himself. He said that the shelf belonged to the Commonwealth. I have a certain understanding of the constitutional position relating to the shelf outside the borders of the States, although I acknowledge that there is an argument between South Australia and Victoria as to the line to be taken to determine the part of the shelf to be attached.

Mr. DARCY.—That has nothing to do with the matter.

Mr. STONEHAM.—Why is this Bill before the Assembly? According to the Minister, we are dealing with a fantasy. The honorable gentleman has stated that the shelf which is the subject of this measure is not under the jurisdiction of Victoria. If that is so, why are we legislating on it?

Mr. DARCY.—You are determined to misunderstand me.

Mr. STONEHAM.—The Minister stated that the shelf belonged to the Commonwealth.

Mr. BLOOMFIELD.—He stated also that the Commonwealth had made an agreement with the State.

Mr. STONEHAM.—All of this arose from an interjection by the Minister of Transport, who has conveniently found it advisable to be absent from the Chamber but who earlier threw into the ring the assertion that the area under consideration is not part of Victoria.

The Opposition's assessment of the Government's ignorance on this subject was that it was abysmal; actually, that was an underestimation. The Government is completely and utterly confused and ignorant on the matter. The Government has withheld from honorable members information on the most vital of all subjects. That was the gravamen of the charge made last week by the Opposition in moving a motion of want of confidence in the Government.

On the most important and vital issues, the Government will not inform honorable members or the people of Victoria of anything. According to the Government, it has just been having a joke with us. I do not know what view Esso-B.H.P. will take of this. Esso-B.H.P. understand that they are dealing with the right people with respect to their operating on the shelf. I am completely dissatisfied with what was supposed to be an explanation offered by the Minister of Mines.

Mr. FENNESSY (Brunswick East).—I support my Leader.

Mr. HOLDEN.—You were not listening, either.

Mr. FENNESSY.—I was in the Chamber throughout the explanation made by the Minister of Mines. Opposition members are completely

dissatisfied with his answer. As my Leader has stated, the Minister of Transport said quite explicitly that the continental shelf did not belong to Victoria. Therefore, my Leader is justified in asking, "If the continental shelf does not belong to Victoria, what in fact is Parliament legislating for?" The Minister of Mines stated also that Victoria could go only to the extent of the 3-mile limit.

Mr. DARCY.—I did not say that.

Mr. FENNESSY.—The honorable gentleman said that Victoria could go only to the 3-mile limit. However, he said also that there was an agreement between the Commonwealth and the State, drawn up by the Commonwealth a couple of years ago, under which Victoria would control the discoveries made off the continental shelf.

Mr. B. J. EVANS.—Is this a gentlemen's agreement or an actual agreement?

Mr. FENNESSY.—Nobody has seen the agreement. Has the Country Party seen it?

Mr. DARCY.—I informed honorable members that the matter was outlined in a Ministerial statement.

Mr. FENNESSY.—The agreement should have been tabled in the Chamber. If members are to legislate for this sort of thing, they are entitled to be provided with all this information. I read in the financial pages of to-day's *Age* that the Marlin strike was producing perhaps even more natural gas than the Barracouta field. This report apparently was given to the Broken Hill Proprietary Company Limited, but no reference was made to the quantities of petroleum which exist in the Marlin strike. When this matter was raised by the Leader of the Opposition, the Minister of Mines suggested that he should look at the sample displayed in the window of a research laboratory or of a Department in Swanston-street.

Mr. DARCY.—You are completely wrong.

Mr. FENNESSY.—Opposition members are not concerned with a sample that might be on display in Swanston-street. What we are concerned about is the quantities of oil that exist in the Marlin field. According to this morning's newspaper report, even B.H.P. has not been given that information by Esso. The Premier has gone on record as saying that there are good quantities of oil also in the Marlin field.

Sir HENRY BOLTE.—I have only repeated what Esso has said.

Mr. FENNESSY.—I accept the Premier's explanation. He has accepted the advice of the experts. But why was this information not made available to B.H.P.? Why was a statement not published in this morning's newspapers to the effect that the petroleum in the Marlin field is just as good as—and perhaps more advantageous than—the gas strike?

Sir HENRY BOLTE.—It could be more so.

Mr. FENNESSY.—I am grateful to the Premier. When he extracts information, he does offer it to honorable members, but the Minister of Mines could not give us that information. All he said was that we should have a look at certain samples.

Mr. DARCY.—We are talking about two different things.

Mr. FENNESSY.—We of the Opposition want to know the quantities of oil that can be obtained from the Marlin strike. The people of Victoria are entitled to know the answer to that question. The Premier has stated that the oil discoveries could prove to be a bonanza, and we accept that statement, but I maintain that this House should be supplied with information showing the quantities of oil in the field and its expected life. The experts have stated the expected life of the natural gas field. In the financial columns of the *Age* this morning, and apparently in the report which Esso

gave to B.H.P., it was stated that it might be possible to supply commercial gas throughout Victoria and to New South Wales for a period up to 50 or 100 years or more, and I have no doubt that that information is true. But we also want to know the quantities of petroleum that are available in the Marlin strike.

Sir HENRY BOLTE (Premier and Treasurer).—I appreciate the query raised by the honorable member for Brunswick East, and I think it is relevant to the discussion. However, I point out that in these matters all that one can do, particularly a politician—whether he is the Premier or a private member—is to rely on the advice and information supplied to him by the people who claim to be experts.

Concerning the question of gas, it was undoubted that, on proving, the Barracouta field was insufficient to supply all of the requirements of Victoria for twenty-odd years, and it was because of that fact that the Gas and Fuel Corporation refused to enter into an agreement on the basis of the Barracouta field being entirely dedicated to that purpose. However, with the discovery of gas in the Marlin field, and proof that the resources were more than sufficient to cover the expected usage in this State for a number of years, the Corporation had no hesitation in entering into negotiations for an agreement.

When drilling was carried out in the Marlin field, gas was first discovered; going through the structure, the companies then discovered oil; going through it again, they discovered more gas. The gas find has been doubly proved to be even in excess of the original estimate, and this could well mean that sufficient gas will be available to meet demands for 50 years or 100 years. It has even been stated that there are good prospects of resources being discovered that could be sufficient to last for 300 years. In regard to the second structure, which was the oil field in the Marlin well, it was estimated, not by me but by experts of Esso, that the structure as geologically assessed would contain in the vicinity of 500,000,000 barrels of oil.

Mr. TURNBULL.—How many gallons are there in a barrel?

Sir HENRY BOLTE.—About 42 American gallons. The estimate of 500,000,000 barrels was not my calculation. Of course, there are many "ifs" and qualifications with these things. The structure, as assessed under a seismic or magnetometer survey, would, if it follows the same pattern as the actual test well, produce not less than 500,000,000 barrels of oil—that was a statement by an officer of Esso.

Mr. FENNESSY.—Would that be authentic?

Sir HENRY BOLTE.—It would be authentic on the basis that the structure is consistent with the test well. A somewhat similar situation exists in relation to oil as in regard to gas. It is necessary to put down several other wells to prove the original well and the assessment of the area. Whether that has been done or whether it is in the process of being done, I do not know. Of course, B.H.P. would know far more than I know on this question.

The final information supplied by Esso to B.H.P. would be strictly of a technical nature based on whatever may be found out of the core of a well and the whole history of the wells that have been drilled. So far as the quantity of oil in the Marlin structure is concerned, all I know is what has been said. I hope it proves to be even greater than is expected, and I am sure all honorable members would adopt the same attitude. On the question of whether I should be held to statements I have made, I point out that my statements on the possible capacity of these structures have been based on the opinions of people who know far more on this question than any of us.

According to geologists' reports, these particular structures are unusually good—in other words, the

porosity of the substance that carries the oil and/or gas and the cavity that also carries the oil and/or gas are as good as any other structure found elsewhere in the world. At the moment, I think the companies may be somewhat apprehensive as to whether their first estimate of the oil find may be quite as good as they had hoped, but this is only because they have not been in a position thoroughly to prove what they expected to find by further drilling. They have confirmed the gas find, but they have not necessarily confirmed their original assessment of the oil. That is as far as I can go, but my statement represents a true summing up of the current position. I understand that the Leader of the Opposition raised a query as to who controlled this particular well.

Mr. STONEHAM.—One of your Ministers raised the question when he said that it did not belong to Victoria.

Sir HENRY BOLTE.—I do not know which Minister said that, but technically speaking he may be correct. There is some doubt as to control of an area of this type. Once the 3-mile limit is passed and the continental shelf is reached, areas may come under the control of the Commonwealth, Federal or national Government.

Mr. DIVERS.—That applies to areas outside the territorial waters.

Sir HENRY BOLTE.—No, to areas outside the 3-mile limit. That is the position as it stands at present, but when the Common Code has been consummated by all States and the Commonwealth agreeing to it, this area, although possibly still technically a Commonwealth area, will be delegated as being under the control of the respective States, which is an entirely different proposition. In other words, although technically and legally it may be a Commonwealth area, under the Common Code, it will come under joint jurisdiction of the Commonwealth and the State. That will not necessarily apply in regard to all aspects, but it will certainly apply to the issue of petroleum exploration licences and production leases.

Mr. WILKES.—Have you been able to obtain agreement with South Australia yet?

Sir HENRY BOLTE.—The question of an agreement with South Australia has no relationship to this problem; it is simply a matter of which area shall be assigned to either South Australia or Victoria and which State shall be recognized as the authority to issue production leases. That is an entirely different subject from the matter now under consideration. I believe the Premier of South Australia, Mr. Walsh, is in the process of coming to a reasonable compromise on this question.

Mr. TURNBULL.—Is he giving in?

Sir HENRY BOLTE.—It is not a question of giving in, but of being reasonable and saying that any extension taking place in the area in question will at least have the imprimatur of a Government. It would be a tragedy if, because of some compromise between South Australia and Victoria, an exploration company was left up in the air on this matter. If it meant that a company was reluctant to spend some millions of dollars because of this uncertainty, it would be a poor show for all concerned, and no doubt Parliament would agree with, as I am prepared to accept, a reasonable compromise.

Mr. DIVERS.—Is the continental shelf determined by a specific distance from the shore-line, or does depth come into it?

Sir HENRY BOLTE.—There appears to be some doubt even about this, but my understanding is that the term " continental shelf " is used as referring to the sea-bed of areas adjacent to the coast but outside the area of the territorial sea to a depth of about 200 metres.

I do not wish to debate this matter on a technical basis—this is a practical problem. All the cards are on the table, and it is simply a question of issuing leases on the basis of the known facts. Honorable members who raised various points acted properly in doing so. I only wish that all of us were better acquainted with the facts and that more facts were available on which these issues could be determined. However, certain facts are not available; they are unknown and, because they are unknown, it is all the more urgent that the passage of this Bill should be expedited.

Mr. STONEHAM (Leader of the Opposition).—It was fortunate for the Minister of Mines that the Premier was available to come to his rescue. All that the Premier has done is to make confusion more confounded so far as the Government is concerned. The Premier dealt with two main issues, the first being an interjection by the Minister of Transport, who has now left the Chamber, to the effect that the oil did not belong to Victoria. Opposition members wonder whether, in dealing with this Bill, we are not simply engaging in a fantasy.

In regard to the Government's attitude on this matter, I propose to refer to a statement in the Federal Parliament last week by Mr. Fairbairn, the Minister for National Development, who said—

> I think I should correct the impression that appears to have arisen in some quarters that the Commonwealth has somehow abandoned its constitutional authority and responsibility in connexion with offshore petroleum. Any such impression is quite erroneous. When the question of constitutional authority over off-shore petroleum first came up as a result of moves to explore Australia's offshore areas, the States—

I assume that expression includes Victoria and this Government—

> asserted that jurisdiction over these offshore resources rested with them.

If this Government was sincere and honest in submitting to the Commonwealth that it was its view that the jurisdiction of these offshore areas belonged to Victoria, why did the Minister of Transport to-day say that it does not belong to Victoria and it is not under the jurisdiction of Victoria? Whose side is the honorable gentleman on?

Mr. DARCY.—I will tell you the facts at the appropriate time.

Mr. STONEHAM.—I hope the Minister of Mines is not reflecting on the Minister for National Development, who made the statement that the Victorian Government asserted that the jurisdiction resided with Victoria. I do not think the Premier should, last week, have made any reference to the estimate of 500,000,000 barrels of oil. I am disturbed at the position revealed by the statement issued by B.H.P. yesterday which, of course, is in the hands of Esso. It reads—

> The proposals submitted by Esso do not purport to evaluate the oil potential of the Marlin field, which following the inconsistent results obtained in the three wells drilled to date, are still conjectural.

Sir HENRY BOLTE.—I said that.

Mr. STONEHAM.—If the Opposition had not raised the question, honorable members would have left this institution with the words "500,000,000 barrels" ringing in their ears.

Sir HENRY BOLTE.—There could be more than that.

Mr. STONEHAM.—Apparently, the Premier should have referred to a billion barrels of oil instead of 500,000,000 barrels. It is all phooey! I do not know whether Esso is deliberately withholding information from the Government and the people. How does Esso's present attitude line up with the Premier's statement about 500,000,000 barrels of oil? Everybody thought the oil problem was solved, but according to the statement issued by B.H.P. yesterday, it is anything but solved. The situation is extremely unsatisfactory and someone is being hoodwinked. The Committee is entitled to better

information on the subject before it approves the validation of this agreement. The Labor Party does not wish to delay the passage of the Bill, but I repeat that honorable members have been given either no information or misleading information, on a most vital question—it is possibly the most important thing that could be considered in relation to this matter—and this is an unsatisfactory state of affairs.

Mr. DARCY (Minister of Mines).—I know that there is a rule about repetition, but let me for the third time——

Mr. STONEHAM (Leader of the Opposition).—On a point of order, is that a reflection upon your predecessor, Mr. Deputy Chairman?

The ACTING CHAIRMAN (Mr. Mitchell).—I feel that it is not.

Mr. DARCY (Minister of Mines).—For the third time, on the constitutional situation, the Premier and the Minister have a perfect right to say that jurisdiction in the area may belong to the Commonwealth, but, for the purposes of this exercise and to get the position straight, I again tell the Leader of the Opposition that embodied in a Ministerial statement made simultaneously in the six State Houses of Parliament and the Commonwealth Parliament in 1965, it was stated that this State would share with the Commonwealth the royalties on what comes out of Bass Strait on the continental shelf.

Mr. TURNBULL (Brunswick West).—The second and third recitals of the preamble to the Bill provide that whereas the exploration company has with the consent of the Minister——

The ACTING CHAIRMAN (Mr. Mitchell).—I ask the honorable member to indicate more clearly with what clause he is dealing.

Mr. TURNBULL.—I am dealing with the preamble to the Bill.

The ACTING CHAIRMAN.—The Committee is considering clause 4 at the moment.

Mr. TURNBULL.—The Premier spoke about making an assessment of the quantity of oil and gas available. When the Government issues a licence to permit an explorer to determine whether commercial quantities are available, it should ensure that a Government geologist or other expert is present to advise not only the Ministry, but this Parliament. If an exploration company receives the imprimatur of the Government, a representative of the Government or the public should be present during the period of exploration to make his own assessment.

Mr. B. J. EVANS (Gippsland East).—I was pleased to hear the Premier's explanation of clause 4, which was of great assistance to honorable members in understanding all the problems connected with this particular agreement. I was particularly pleased to hear him admit that not everyone in the State knows all about the deposits, but that we have to rely on advice and our own conclusions to a certain extent. I hope he will not be so inclined to accuse others of talking through their hats when they rely on information they have been given and opinions formed from that information.

It is realized that exploration companies must be meticulous in the information which they make available. Such companies cannot make forecasts of what they think might be available; they have to know for certain the potential of the various fields before they give too much publicity to their investigations. There is no doubt that they have a fair idea of that potential, but they have to prove what is there before they release the information.

I am concerned with the constitutional situation between the Commonwealth and the State. From the comments that have been made, it would appear that the Commonwealth and the States, by mutual agreement, have affected the jurisdiction of the Commonwealth. I seek clarification as to whether this can

be done without reciprocal legislation being passed in the various Parliaments. If the State Government desires to pass over powers in relation to marketing to enable a Commonwealth-wide marketing scheme to be implemented, it has to be effected by an Act of Parliament; it cannot be done by mutual agreement between the respective Ministers. The Parliaments of the respective States of the Commonwealth must know the terms of the gentlemen's agreement between the Ministers and ratify it. I want to know whether there is any prospect of this gentlemen's agreement being challenged in the courts and perhaps being upset in years to come.

Mr. DARCY (Minister of Mines).—
—The agreement will be embodied in legislation establishing a Common Code.

Mr. B. J. EVANS (Gippsland East).
—I thank the Minister for his elucidation. This Committee is told that the agreement will be embodied in legislation, but at the moment it is not so embodied. Therefore, I suggest that this Bill is premature because this Committee has no power to deal with areas outside the jurisdiction of the State Government until the legislation which the Minister foreshadows is before Parliament. That legislation should be considered before this Bill is passed, otherwise a mockery will be made of our Parliamentary system. This question should be seriously considered and Parliament should be certain that it has the power to give effect to this agreement.

The Minister has informed the Committee that a Ministerial statement was issued in 1965 pointing out that an agreement on offshore exploration had been made between the Commonwealth and the States. Unless this agreement is ratified by the Parliaments of the Commonwealth and Victoria, the legality of this Bill may be in question. If the Minister can satisfy the Committee on this point, I shall be happy. I hope he can, but I point out that the powers of the Commonwealth can be handed over to the State only by reciprocal legislation.

The ACTING CHAIRMAN (Mr. Mitchell).—I remind the House that clause 4 is the validating clause, and any further discussion must follow immediately.

The clause was agreed to, as were the remaining clauses and the schedule.

Preamble.

Mr. TURNBULL (Brunswick West).
—The first recital indicates that the company is the holder of petroleum exploration permits granted by this State. This is a very valuable right, and the results of the exploration depend upon the quantity of petroleum that is discovered, and also the question of the royalties payable to this State will depend upon the exploration carried out subject to these permits. When this State grants a permit, surely it should have a geologist or other competent person present to make an independent assessment of the value of the discoveries. If the State receives its information solely from officers of the company and not from officers of the State, that is quite wrong. Parliamentarians are not experts, yet they are asked to approve of this agreement. A State officer should be available for members to consult. It appears that Parliament is dealing blindfolded with a question in which millions of dollars are involved. I am disgusted to think that a State geologist was not present.

The preamble was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. WILCOX (Minister of Labour and Industry), was read a first time.

ADJOURNMENT.

TRAFFIC COMMISSION: DIVERSION OF TRAFFIC ON CHANDLER HIGHWAY—EDUCATION DEPARTMENT: ACCOMMODATION AT NEWCOMB STATE SCHOOL: SOUND-PROOFING OF CLASS-ROOMS AT STRATHMORE HIGH SCHOOL—STATE ELECTRICITY COMMISSION: EASEMENT IN CITY OF BROADMEADOWS — RAILWAY DEPARTMENT: CONDITION OF MARNOO RAILWAY YARDS.

Mr. G. O. REID (Minister for Fuel and Power).—I move—

That the House, at its rising, adjourn until to-morrow, at half-past Three o'clock.

The motion was agreed to.

Mr. G. O. REID (Minister for Fuel and Power).—I move—

That the House do now adjourn.

Mr. WILKES (Northcote).—I direct the attention of the Government to action of the Traffic Commission in the new electorate of Northcote which is causing a great deal of concern to motorists. The Commission has decided to close the Chandler Highway to south-bound traffic between 8 a.m. and 9 a.m. This is a callous disregard for the rights of motorists who want to use this highway to travel to Kew. Although the Commission might have consulted the municipalities, certainly no mention was made to Parliament. The following letter was given to motorists who wish to use this highway:—

As from Monday next, 6th March, until further notice, Chandler Highway will operate as a ONE WAY ROAD for traffic from KEW to FAIRFIELD between 8.00 a.m.–9.00 a.m. on Weekdays.

During the period 7.50 a.m.–9.10 a.m. Monday to Friday (Public Holidays excepted), vehicles will not be permitted to turn off Heidelberg Road to enter Chandler Highway.

Drivers who normally use Chandler Highway to go from Fairfield to Kew during this time SHOULD SELECT A NEW ROUTE crossing the Yarra River via Burke Road bridge, North Kew; Johnston Street or Victoria Street bridges, Collingwood; or other bridges further south, whichever is most convenient.

Additional travel will be involved for most drivers travelling from Fairfield to Kew, but studies have shown that the cost of this will be offset many times over by the savings to the much larger number of motorists travelling from Kew to Fairfield during this same period.

This scheme of operation has been made necessary by the continued increase in traffic which is severely taxing road capacity, particularly the capacity of the Yarra River bridges during peak periods. Your co-operation in implementing this scheme would be appreciated, the inconvenience that the diversion will cause you in your journey is regretted.

The alternative routes suggested to motorists by the Traffic Commission are across the Burke-road bridge, a diversion of 2 miles, or down Heidelberg-road, along Hoddle-street or Johnston-street, which involves them in travel for an additional 2 or 3 miles. I ask the Government to ascertain from the Traffic Commission the necessity for this action. I do not think figures can be given of the number of motorists who travel in a northerly direction to Fairfield and Alphington, or in a southerly direction towards Kew from Alphington and Fairfield. The rights of motorists should be respected by the Commission.

I understand that the councils of Kew and Northcote agreed to a trial period of one week for this proposal, but the Commission has disregarded those councils by erecting permanent signs in the area. The Minister of Transport should ascertain from the Traffic Commission why this action has been taken.

Mr. BIRRELL (Geelong).—I understand that, when school resumed at the Newcomb State School, approximately 40 children were turned away from the infant grades. The district inspector and I made representations to obtain additional accommodation but, as at last week-end, nothing had been done. I should appreciate it if extra class-rooms could be provided at this school.

Mr. WILTON (Broadmeadows).—I direct the attention of the Minister for Fuel and Power to the condition

of the large State Electricity Commission easement which traverses the City of Broadmeadows, particularly the southern part. This easement is overgrown with noxious weeds, such as rye grass and thistle; it has also become the dumping ground for old cars and rubbish and is in a most unsightly condition.

The main concern of residents is that it has become a dangerous fire hazard, and, if it were private land, no doubt notices would have been served on the owners. If a fire started on the easement, many homes would be endangered and a council recreation centre could be destroyed. I ask the Minister to investigate the matter with a view to having the Commission remove the hazard.

Mr. WHEELER (Essendon).—The Strathmore High School is in close proximity to Pascoe Vale-road and the passing traffic has affected students to the extent that an attempt has been made to sound-proof some of the rooms. In this connexion I read a letter from the president of the Strathmore High School Advisory Council, which states—

> This Advisory Council is greatly concerned that no positive steps have been taken to provide suitable ventilation in the Headmaster's Office, the General Office and the Geography Room (Room 8) since the sound-proofing was completed some months ago. During hot weather the conditions are such that effective work by staff and students is impossible.
>
> It would be appreciated if you could assist in this matter which is considered urgent.

I ask the Minister to endeavour to implement some satisfactory arrangement.

Mr. PHELAN (Kara Kara).—I direct the attention of the Minister of Transport to the condition of the Marnoo railway yard. This matter has been the subject of conversation and also of correspondence with the Railway Department. It is a reflection on the intelligence of people to receive a letter containing such hogwash as the reasons given by the Department for the state of these yards. The line is in a dangerous condition—many of the sleepers are broken and I, personally, have pulled out some of the rail dogs with my fingers. The Department will not take any action to make the yard safe because it places the blame for the condition of the line on the Grain Elevators Board. However, I saw the condition of the yard before the construction of the new silo and it was then in a dangerous condition. I again visited the Marnoo yard after the construction of this silo, and its condition was unchanged. It is a grave reflection on the Railways Commissioners to blame the Grain Elevators Board. I ask the Minister of Transport to take steps to obtain the correct information on the subject and to have some improvement effected.

Mr. G. O. REID (Minister for Fuel and Power).—The matter raised by the honorable member for Broadmeadows concerns my own Department, and I shall have an investigation made of the condition of the State Electricity Commission's easement which traverses the City of Broadmeadows with a view to having the situation improved.

In regard to the matter raised by the honorable member for Northcote, I have been informed that the closure of the Chandler Highway to certain traffic was intended for a trial period of one week. I was also informed that the City of Northcote approved of the arrangement. Nevertheless, the matters raised by him will be referred to the appropriate Minister for investigation and inquiry.

Mr. MEAGHER (Minister of Transport).—I shall inquire into the matter referred to by the honorable member for Kara Kara. He did not give me much information to-night, but I will have inquiries made into the circumstances and advise him of the result.

Mr. ROSSITER (Minister of Immigration).—The honorable member for Geelong referred to the need for a portable class-room at Newcomb

State School. I am surprised that one has not been placed there before this because portable class-rooms are becoming available for pressure areas. I shall certainly investigate this matter. The matter raised by the honorable member for Essendon seems to be one for urgent inquiry by an inspector of the Public Works Department on the spot. I shall ask the Minister of Public Works to set the inquiry in motion.

The motion was agreed to.

The House adjourned at 5.57 *p.m.*

Legislative Council.

Wednesday, March 8, 1967.

The PRESIDENT **(the Hon. R. W. Mack)** took the chair at 2.55 p.m., and read the prayer.

WATER SUPPLY.

EPSOM-HUNTLY AREA.

For **the Hon. M. A. CLARKE** (Northern Province), the Hon. A. K. Bradbury asked the Minister of Agriculture—

(*a*) What authority is responsible for the supply of piped water from Bendigo through Epsom to Huntly?

(*b*) What is the diameter of the main pipe-line?

(*c*) Have complaints been received from householders and livestock owners in the Epsom-Huntly area that their water supply is inadequate and that the pressure is too low?

(*d*) What steps are being taken by the Government to improve the water supply to this area?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) The State Rivers and Water Supply Commission.

(*b*) Varying diameter from 36 inches to 3 inches.

(*c*) Yes.

(*d*) In times of peak demand, close manual operation of the system in the Huntly area has been necessary to ensure that the maximum output is obtained from the existing water supply facilities.

Investigations are now progressing to ascertain the most advantageous method of augmenting supplies to the Huntly area, and it is hoped that improvement works will be completed before next summer.

STATE COAL MINE.

TRANSFER OF PERSONNEL TO OTHER EMPLOYMENT: LONG SERVICE LEAVE.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) Following the closure of the power house at the Wonthaggi coal mine—(i) how many employees transferred to the State Electricity Commission; and (ii) how many chose to take up other employment?

(*b*) Of those who took up other employment, how many forfeited their long service leave credits, and why?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) (i) 9.

(ii) 17.

(*b*) None of the employees forfeited long service leave. Three were ineligible for such leave, having completed less than fifteen years' service.

MELBOURNE HARBOR TRUST.

YARRA RIVER, NEWPORT: DEPTHS OF WATER: SILTATION AND STENCH.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

(*a*) What are the variable depths of water in Greenwich Bay, at Nos. 3 and 4 oil wharfs, Newport, and how have these depths varied over the past ten years?

(*b*) Does the Melbourne Harbor Trust propose to carry out any measures to stop the siltation and stench which are now evident in this area and the surrounding area?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) As set out in the reply to question No. 17 on the Legislative Council Notices of Motion and Orders of the Day No. 30, for Tuesday, 7th March, Greenwich Bay has been completely reclaimed.

The river channel in the vicinity of Nos. 3 and 4 oil wharves, Newport, is maintained at a guaranteed depth of 32 feet.

(*b*) Depths of water in this area are adequate for the Melbourne Harbor Trust purposes and no measures are contemplated.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

(*a*) What are the variable depths in that area of water under the Melbourne Harbor Trust control between the mouth of the Yarra river and The Strand, Newport, and how have these depths varied over the past ten years?

(*b*) Does the Melbourne Harbor Trust propose to carry out any measures to stop the siltation and stench which are now evident in this area?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) No recent records of the variable depths of water in the area between the mouth of the Yarra river and The Strand, Newport, are available, but it is not considered that there has been any variation in depth of any consequence in this area over the past ten years.

(*b*) The Trust is not aware of any situation which has developed in this area which would necessitate any action on its part.

SOLDIER SETTLEMENT.

Acquisition of Settler's Property: Loan Procedure.

For **the Hon. H. A. HEWSON** (Gippsland Province), the Hon. R. W. May asked the Minister of Agriculture—

Where a soldier settler's property is compulsorily acquired by a Government authority such as the State Rivers and Water Supply Commission, does the Government allow such settler to transfer the unexpired portion of his long-term loan to the new property where he relocates himself, or does the acquiring authority pay compensation for the loss of this privilege?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

A soldier settler holding a purchase lease under the Soldier Settlement Act 1958, who has held such lease for the statutory period (varying between three and six years), is able to freehold his farm on payment of the balance of his leasehold liability. Compensation for compulsory acquisition in these circumstances is determined on a freehold basis and the conditions pertaining to leasehold are not transferable to another property.

In the compulsory acquisition of land, the State Rivers and Water Supply Commission, in assessing compensation, takes into account the claimant's pecuniary injury. If loss in respect to the item referred to in the question is substantiated, it would be considered in dealing with the claim. Each case is considered on its merits.

HOUSING COMMISSION.

Applications for Houses by Occupants of Commonwealth Hostels.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Housing—

Is it necessary for migrants temporarily resident in Commonwealth hostels to provide evidence of rental payments when being considered for allocation of a house or flat by the Housing Commission; if so, do any rentals outstanding as the result of the current dispute over increased charges affect the success of a migrant's application?

The Hon. L. H. S. THOMPSON (Minister of Housing).—The answer is—

(*a*) Yes.

(*b*) No.

POLICE DEPARTMENT.

Need for Police Station at Lockington.

For **the Hon. M. A. CLARKE** (Northern Province), the Hon. A. K. Bradbury asked the Minister of Agriculture—

Will the Government investigate the necessity for a police station at Lockington in view of the increasing number of acts of vandalism and assault being committed in that town?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

I have asked the Chief Commissioner of Police to let me have a report on the need for additional police services at Lockington.

On receipt of the report, I shall advise the honorable member further on this question.

NATURAL GAS.

PURCHASE PRICE: EXPENDITURE BY COMPANIES.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

In estimating the price for the purchase of natural gas, did the advisers to the Government provide it with estimates of the costs to Esso-Haematite Exploration Limited for the production of natural gas; if so, what is the estimate of costs in respect of the Barracouta field and Marlin field, respectively, for—(i) the exploration to date, less Commonwealth subsidies; (ii) two platforms in the sea for drilling purposes; (iii) two pipe-lines to the shore from these platforms; (iv) the drilling of sixteen wells (eight for each platform); (v) the erection on shore of a processing plant for the treatment of natural gas; and (vi) the production and running costs, including wages and maintenance, over the next twenty years?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

No. However, expenditure on exploration in the Gippsland shelf area up to date—less Commonwealth subsidies—is $8,820,000.

Estimated costs of production platforms, offshore pipe-lines, wells and processing plant and other facilities necessary to bring the project into operation is of the order of $150,000,000. Estimated production and running costs, including wages and maintenance, over the next twenty years are not available at this stage.

INTERSTATE SALES: COMMONWEALTH JURISDICTION: COMMONWEALTH-STATE COMPLEMENTARY LEGISLATION.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(*a*) What agreement has been reached between the Victorian and Commonwealth Governments for the sale of natural gas interstate?

(*b*) Has the Commonwealth Government any legal or other control over—(i) the natural gas fields on the continental shelf; and (ii) the terms of any proposal for the interstate sales of natural gas and/or condensates?

(*c*) What agreements have been reached between the two Governments for complementary legislation to cover all petroleum resources—(i) beneath Victorian territorial waters; and (ii) in the sea-bed of the continental shelf?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) No agreement has been reached between the Victorian and Commonwealth Governments in respect of any particular sale, but the two Governments have discussed general policy, and the results are set forth in letters which are contained in a file which is to be laid on the table of the Library.

(*b*) Both the Commonwealth and States claim jurisdiction over natural gas on the continental shelf.

(*c*) In 1965, the Commonwealth and the State Governments reached agreement that, in the national interest, they should endeavour to avoid litigation by co-operating in a scheme of joint uniform legislation covering exploration for and exploitation of petroleum on both the sea-bed beneath territorial waters and the sea-bed of the continental shelf beneath the high seas. Under this scheme, the conflict over constitutional powers was put aside but without prejudice to the respective standpoints of the Commonwealth and the States.

The scheme agreed to by the Governments will be effected by Commonwealth and State legislation in similar terms which will be presented to the several Parliaments pursuant to a formal agreement between the Commonwealth and the States setting out details of the agreed arrangements and the basis of and understanding behind such arrangements and evidencing the intention of all parties.

The administration of this legislation will be in the hands of the States, save only that the States have agreed that the Commonwealth will be consulted on all aspects which may affect the Commonwealth's own special responsibilities under the Constitution in matters such as defence, external affairs, navigation, and so on.

SALES: AGREEMENTS BETWEEN VICTORIAN AND COMMONWEALTH GOVERNMENTS.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

Will the Minister lay on the table of the Library the file regarding the agreements reached between the Victorian Government and the Commonwealth Government with respect to natural gas sales; if not, why?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is, "Yes".

PORT PHILLIP AUTHORITY.

APPOINTMENT OF CHAIRMAN.

The Hon. A. J. HUNT (South-Eastern Province) asked the Minister of Agriculture—

(*a*) How many applications have been received for the chairmanship of the Port Phillip Authority?

(*b*) When is it anticipated that—(i) an appointment will be made; and (ii) the Authority will commence to operate?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) 39.

(*b*) (i) Applications closed only on Friday last, 3rd March, 1967. They are at present being tabulated for consideration by a Cabinet sub-committee which was appointed on Monday, 6th March. It is anticipated that an appointment will be made within the next few weeks.

(ii) This will depend largely on when the appointed chairman will be available to take up duty, but the Government is anxious that the Authority commences to operate at the earliest possible date.

COUNTRY ROADS BOARD.

PROPOSED HIGHWAY FROM CHARLTON TO NORTHERN HIGHWAY.

For **the Hon. M. A. CLARKE** (Northern Province), the Hon. A. K. Bradbury asked the Minister of Agriculture—

Has the Government investigated the projected construction of a main highway from Charlton eastward to meet the Northern Highway at a point between Rochester and Echuca; if so, what were the conclusions from the investigation; if not, will it make such an investigation at an early date?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

No. No detailed investigation is proposed by the Country Roads Board at this stage as roads in the area are considered satisfactory to cater for existing traffic.

EDUCATION DEPARTMENT.

DOUTTA GALLA PROVINCE: SCHOOL ENROLMENTS: REGISTERED SCHOOLS: TEACHERS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(*a*) What is the current pupil enrolment at each of the State primary and secondary schools within the boundaries of the Doutta Galla Province?

(*b*) Were any children seeking enrolment this year rejected; if so—(i) how many; and (ii) from which schools?

(*c*) What denominational and/or private schools are registered as functioning within the Doutta Galla Province, and what is the current enrolment at each?

(*d*) Were any children seeking enrolment this year rejected because of accommodation difficulties; if so, what are the details?

(*e*) What is the total teaching staff at each such State, denominational and private school?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers to these questions will take a considerable time to prepare. I shall advise the honorable member immediately the requisite information is available.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I knew that the information in question would take some time to prepare. I appreciate the Minister's reply, and shall be grateful to receive the information when it is available.

PROPOSED MARYVALE HIGH SCHOOL: TENDERS.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(*a*) Has the design of the new Maryvale High School at Morwell been completed; if so, what form does it take, and what is the estimated cost of construction?

(*b*) When will tenders be invited for its construction?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(*a*) A design for a new type of high school has been completed, providing for a central building placed in a rectangular courtyard and surrounded by other buildings. Estimates of cost are to be prepared and examined.

When this has been done a decision will be made as to whether tenders will be called for a building of this type or for one of standard construction. The Public Works Department expects to be in a position to furnish an estimate of the cost of construction early in April. However, it is not practice to reveal estimates as this could influence prospective tenderers.

(*b*) It is not possible to say at this stage when tenders will be invited.

DEPARTMENT OF AGRICULTURE.

VETERINARY SERVICES: SUGGESTED GIPPSLAND DIAGNOSTIC CENTRE.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

Has he received a request for the establishment of a veterinary diagnostic centre in Gippsland; if so, has he made a decision in relation thereto; if not, will he have talks with the Hospitals and Charities Commission with a view to ascertaining if it would be practicable to establish such a centre in conjunction with a diagnostic centre at a base hospital?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer to this question is lengthy and, with the permission of the House, I should like it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:—

In the last year, a number of requests have been received from individuals and organizations in Gippsland for the establishment of regional veterinary diagnostic laboratories at Maffra, Bairnsdale, Leongatha and Korumburra.

No decision has been made in relation to the proposed site of any such laboratory in Gippsland, and no funds are available for the establishment of such a laboratory in Gippsland.

The question of the use of hospital pathology laboratories for veterinary purposes has been carefully considered on a number of occasions in the past. The specific requirements for a veterinary diagnostic service can be listed broadly in the following three categories:—

1. Statutory tests and diagnostic tests on blood, serum, milk, urine, &c., for proclaimed diseases of livestock.

2. Investigation of stock disease and general examination of live, sick, moribund, and dead animals and specimens from animals for diagnosis of disease. Species would include sheep, cattle, pigs, poultry, horses and dogs.

3. Certain biochemical tests on blood, milk and urine and direct examination of blood and semen as ancillary tests in the diagnosis of disease.

With regard to the first category, as such tests require to be recognized on an interstate and international basis for export of livestock, they would need to be carried out by registered veterinarians employed specifically as part of the official diagnostic service of the State.

In respect of the second category, it is unlikely that any hospital pathology laboratory would be prepared to deal with sick, moribund and dead animals, as well as viscera and other specimens from dead animals. Even if specimens of this nature could be accepted, the interpretation of pathological and bacteriological findings in the wide range of species concerned requires expert knowledge in the field of veterinary pathology and microbiology. For this purpose, the Department of Agriculture is at present undertaking a vigorous programme for post-graduate training of members of the veterinary staff at both overseas and local universities. As the diagnosis of disease, in many cases, would relate to proclaimed diseases, this diagnosis would again require to be made by a registered veterinarian who was a member of the staff of the official diagnostic service of the State.

Within the third category, there are certain procedures which could be performed at a hospital pathology unit and, in fact, this service is sometimes provided, to a minor degree, for small animal veterinary practitioners by commercial laboratories, particularly in the metropolitan area.

In view of the very different functions of diagnostic units at base hospitals and of regional veterinary diagnostic laboratories, it is considered that no good purpose would be served by having talks with the Hospitals and Charities Commission in relation to the establishment of such laboratories in conjunction.

SUPERANNUATION FUND.

QUINQUENNIAL INVESTIGATION.

For **the Hon. J. M. TRIPOVICH** (Doutta Galla Province), the Hon. Samuel Merrifield asked the Minister of Agriculture—

Has the quinquennial investigation into the financial position of the State Superannuation Fund as at 30th June, 1965, been completed; if so, did it reveal the fund to be in surplus, and in that case by what amount; if not, what has caused the delay?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

No. The Government Actuary advises that the quinquennial investigation will be completed shortly. The delay has been caused by pressure of work in both the office of the Government Actuary and the office of the Superannuation Board.

DEPARTMENT OF HEALTH.

FROZEN FOOD CABINET TEMPERATURES.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Health—

(*a*) Is it proposed by the Commission of Public Health to implement the recommendations of the National Health and Medical Research Council with respect to frozen food cabinet temperatures; if so, when?

(*b*) Is he aware of the cost of this changeover; if so, have representations been made by him or the research council to the Commonwealth Government to subsidize the changeover on a similar basis to the conversion to decimal currency?

The Hon. V. O. DICKIE (Minister of Health).—The answers are—

(*a*) A draft standard for the sale, service, storage, display and transportation of frozen foods was prepared by the Food Standards Committee of the National Health and Medical Research Council and submitted to the States for comment. This draft standard includes requirements for the storage and transportation of foodstuffs and maximum temperatures of frozen foods during various storage and delivery operations. The standard is to be read in conjunction with a draft code of practice in the handling of frozen foods which was also forwarded from the National Health and Medical Research Council. Both of these drafts were considered by the Victorian Food Standards Committee at a meeting in July, 1966. The committee made a number of recommendations for amendment of the drafts and these have now been referred back to the National Health and Medical Research Council for further consideration. These drafts will also be considered by all other States and by industry, which is represented on the Commonwealth Food Standards Committee.

(*b*) It is not considered that adoption of proposed standards would require major alterations in existing frozen food cabinets. However, this aspect will be considered when the next draft is received from the National Health and Medical Research Council.

FILE ON OWEN FRICKER.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Health—

Will he lay on the table of the Library the file relating to Owen Fricker?

The Hon. V. O. DICKIE (Minister of Health).—The answer is—

It is not the usual practice to lay files relating to patients in hospitals on the table of the Library. If the honorable member has any particular matter to examine, I could arrange for him to view the appropriate papers in my office.

RETARDED CHILDREN'S CENTRES.

SUBSIDIES: FINANCIAL POSITION.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Health—

(*a*) What is the new maintenance subsidy rate per child per annum for retarded children's centres, and how does this compare with the old rate?

(*b*) What is the annual transport subsidy available to these centres, and how does it compare with the old rate?

(*c*) When was the last application made for increased subsidies and what subsidies were requested in this application?

(*d*) How many retarded children's centres in Victoria are in serious financial difficulty following a new wages policy determination for teachers?

(*e*) How many of these centres are in debt, and in each case, to what extent?

The Hon. V. O. DICKIE (Minister of Health).—The answers are—

(*a*) New subsidy .. $230 per child.
Old subsidy .. $160 per child.
Increase .. $70 per child.

(*b*) The transport subsidy available varies as between country and metropolitan centres and the rates are determined by the enrolments of children at each centre. Subject to the condition that no payment shall exceed the actual cost of transport for the period covered by the payment the rates of subsidy are—

Enrolment.	Maximum Permissible Subsidy per Annum.	
	Metropolitan Centres.	Country Centres.
	$	$
15 and under	840	1,200
16 to 30	1,200	1,680
31 to 45	1,560	2,160
46 to 60	1,920	2,640
61 to 75	2,280	3,120
76 to 90	2,640	3,600
91 to 105	3,000	4,080
106 to 120	3,360	4,560
121 to 135	3,720	5,040
136 to 150	4,080	5,520
151 to 165	4,440	6,000
165 and over	4,800	6,480

These rates have been paid since the 1st July, 1962, and no increase has been authorized.

(*c*) The last application for an increase in the maintenance subsidy was made by the Frankston Mentally Retarded Children's Centre on the 21st February, 1967, but no specific amount of increase was requested.

(*d*) So far as is known to the Mental Hygiene Branch of the Department of Health, no retarded children's centre is in serious financial difficulty. It is believed that the new rates of subsidy which became operative on the 6th March last will be adequate for the needs of centres.

(*e*) The Department does not have detailed financial accounts of the financial affairs of all retarded children's centres. However, from information available it is not believed that centres generally are in debt to any significant extent.

SUBORDINATE LEGISLATION COMMITTEE.

GENERAL REPORT.

The Hon. G. J. O'CONNELL (Melbourne Province), chairman, presented a general report of the Subordinate Legislation Committee.

It was ordered that the report be laid on the table and be printed.

GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The PRESIDENT (the Hon. R. W. Mack).—I have to announce that His Excellency the Governor has intimated that it will be convenient for the presentation of the Address-in-Reply to take place at Government House, where His Excellency will be pleased to receive the President and members of the Legislative Council on Wednesday next, 15th March, at 3 p.m. I request that as many honorable members as possible accompany me. Cars will be provided for the conveyance of honorable members and will leave Parliament House steps at 2.45 p.m.

PIPELINES BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

This measure relating to natural gas and the pipe-lining of materials is the first of a trio of Bills which will be presented to the House to-day. It is concerned with pipe-lines in general. It deals with pipe-lines on land—not pipe-lines under the water, which are the subject of a different measure for reasons that will be explained later. It seems obvious that this State, and probably other States, will be concerned with an increasing number of pipe-lines—not only for the conveyance of oil and gas but also for the conveyance of other materials.

This Bill sets out to establish a unified and uniform control over the construction and operation of pipe-lines for conveying gases, liquids and solids of all kinds. Until now, separate legislation has been required every time anyone wanted to construct a pipe-line. If this practice were to be continued, it is obvious that it would be necessary to bring many repetitive Bills before the House. This Bill attempts to set out a code for the acquisition, ownership and operation of pipe-lines which can be applied in most cases where a pipe-line is required.

Almost all countries in the world, and especially those where oil and gas have become major factors in their economy, have found a need for legislation of this type. Examples can be found particularly in the United States of America, Canada and the United Kingdom. Basically, the legislation in those countries follows a general pattern of control, which necessarily involves these elements:

(*a*) permits for the ownership and use of pipe-lines;

(*b*) acquisition of rights over land over or through which pipe-lines are laid; and

(*c*) the licensing, construction, and inspection of pipe-lines.

A reference to clause 2 will show that this Bill is laid out precisely along these lines.

The Bill is based on the idea that when any person wants to convey any type of material by means of a pipe-line of a certain size and along a particular route, he must—

(*a*) obtain a permit from the appropriate Minister to own and use that line to carry

the specified materials. In the case of hydrocarbons—that is, oil and gas—the Minister is the Minister for Fuel and Power; and

(*b*) obtain a licence from the Minister of Mines to construct and operate that line according to a design approved by the Minister and complying with such plans and specifications as the Minister considers appropriate.

Thus, the Bill deals with the twin proposition of having the pipe-line and its physical construction and operation. The division of responsibility between the Ministers was caused by the desire of the Government to avoid multiplicity of inspecting staff in the various Departments, particularly in the Ministry for Fuel and Power in relation to hydrocarbons, that Ministry being primarily a planning organization set up to determine the means by which sources of fuel and power in Victoria can best be used, and not being concerned in detailed design, construction or operation of pipelines.

The House has been supplied with detailed notes on the clauses. Having outlined the general structure of the Bill, I wish to indicate the clauses which bear on that general structure and have particular importance. In clause 4, there is reference to exemptions, and it will be noticed that the provisions of this Bill will not apply to any pipe-line constructed or proposed to be constructed for the purpose of any Act which is now in operation, and which pipe-line conveys only something other than a hydrocarbon, unless the Governor in Council orders that it shall apply.

I now pass to the Part II. of the Bill which relates to permits. Clause 8 and the following clauses set out a code relating to applications for permits. Clause 8 stipulates that no person shall own or use a pipe-line unless he holds a permit, and that the pipe-line is to be constructed only along the authorized route. There is provision in clause 9 for a person who proposes to apply for such permit to enter on any Crown or other lands on the intended route of a pipe-line to make surveys or examinations on condition that he has the consent of the Minister to do so. Clause 10 provides that the applicant must notify the local muncipality that he has made application for a permit to lay a pipe-line through the municipal area.

Clause 11 provides that the Minister, as soon as practicable, must publish in the *Government Gazette* a notice that he has received an application, and that a map of the proposed route of the pipe-line may be examined by any interested party. It is further provided that the Minister shall not grant or refuse a permit until at least 30 days after the publication of the notice. This clause also provides that the Minister may direct an applicant to advise other relevant organizations, such as the State Rivers and Water Supply Commission, the Forests Commission and local sewerage and water trusts, that such an application has been made.

The Hon. R. W. MAY.—What about private property owners?

The Hon. R. J. HAMER.—I will deal with the acquisition of rights over private property in a moment.

The Hon. R. W. MAY.—I refer to the aspect of giving notice.

The Hon. R. J. HAMER.—There is no specific provision for notice to be given other than by publication in the *Government Gazette*. Clause 14 prohibits the permittee, the person who holds the permit, from transferring his permit without the written consent of the Minister, and clause 15 prohibits him from conveying anything through a pipe-line unless prior authorization to convey such thing has been given. That is the

general structure of Part II. of the Bill relating to permits to own and build pipe-lines.

Part III. deals with the acquisition of rights over land which will obviously be needed for a person to construct a pipe-line. This part really begins at clause 20, which deals with the power of the Governor in Council to grant easements over Crown land to enable a permittee to construct an authorized pipe-line over Crown land and to operate, inspect, maintain and repair any part of such pipe-line

Clause 21 deals with public statutory corporations, and empowers them to grant easements over any land under their control. Clause 22 deals with private land, and it grants to the permittee the right to acquire, with the Minister's permission, an easement over any private land that is required for the construction, operation, inspection or repair of any authorized pipe-line. The same clause incorporates the Land Compensation Act 1958 to be used in conjunction with this Act. In answer to Mr. May's question, possibly—although in practice, probably not—the notice which a private land owner might get that a pipe-liner desired to cross his land with a pipe-line would be under this clause.

The Hon. I. A. SWINBURNE.—Would that be after the approval had been given to the scheme?

The Hon. R. J. HAMER.—I think so.

The Hon. I. A. SWINBURNE.—It would be a little late by then.

The Hon. R. J. HAMER.—You mean that there will be no opportunity to object to the proposed route?

The Hon. I. A. SWINBURNE.—I think the point Mr. May was making was that few people read the *Government Gazette*. Normally, under the Health Act and the Local Government Act, the procedure is that notice has to be published in a local paper.

The Hon. R. J. HAMER.—I shall be pleased to hear suggestions from honorable members who are concerned with that aspect. I think it is reasonable that persons who will be affected in this way should have adequate notice and, to my mind, it is always fundamental that persons at all affected should have the right to object if they want to.

The Hon. I. A. SWINBURNE.—Such a provision appears in most present-day Acts.

The Hon. R. J. HAMER.—I pass now to Part IV. of the Bill, which deals with the licence to construct and operate a pipe-line, and begins really with clause 25, which stipulates that no person shall construct or operate a pipe-line unless he has been licensed to do so by the Minister of Mines. The same clause provides that no person other than the authorized permittee—the person who obtains the original permit—shall be entitled to be issued with the operating licence.

Clause 30 commences a series of clauses relating to plans and specifications, which is a vital part of this Bill. Clause 30 itself states that a pipe-line shall be constructed in accordance with the prescribed standards, specifications and conditions, and clause 31 provides that a pipe-line shall be constructed only along the route authorized in the permit.

Clause 32 contains special provisions relating to cases where a pipe-line runs along or crosses over or under a railway line or a railway reserve, a road, bridge, or tramway, any electrical apparatus, or any other pipe-line. The clause also contains provisions relating to the reasonable requirements of authorities operating those other facilities so that the new pipe-line will not interfere with their activities. Of course, the licensee is required to bear any additional expense involved by the authority operating the prior service.

Clause 33 commences a group of clauses setting out the duties of a pipe-liner. Sub-clause (1) of this clause stipulates that, where a pipe-line crosses agricultural land, the licensee shall restore the land, as near as practicable, to the condition it was in before construction commenced. Sub-clause (2) provides that action may be taken against a licensee for failing to carry out this work.

The Hon. I. A. SWINBURNE.—What if he walks out?

The Hon. R. J. HAMER.—The land should be restored as near as practicable to its original condition. In most cases the pipe-line will be underground.

The Hon. I. A. SWINBURNE.—Is any provision made for maintenance costs?

The Hon. R. J. HAMER.—I shall deal with the clauses concerning maintenance in a minute. Clause 34 deals with the construction of a pipe-line over or under any waters, the avoidance of pollution of the waters, and provides for a penalty for failure to comply with the provisions of this clause. Clause 36 provides for the examination, repair, maintenance, adjusting and testing of a pipe-line, inspection of the route taken by a pipe-line, and provides for a penalty for failure to comply with the requirements of this clause.

Clause 37 deals with the safe operation of a pipe-line, the compulsory carrying out of alterations, repairs or replacements, and again, the appropriate penalty for failure is provided. Clause 38 applies to the escape or the ignition of anything in a pipe-line, and stipulates which authorities are to be notified if this occurs. Provision is made in clause 39 for the appointment by the Public Service Board of inspectors to ensure that the provisions of the Act are carried out, and for the provision of certificates of identity identifying the inspectors.

Clause 43 imposes a duty on the licensee to do as little damage as possible to any property involved in the construction of a pipe-line, and to pay compensation for any damage incurred. This clause does not fully answer the question raised by Mr. Swinburne, but it goes part of the way. Provision is made for invoking the Lands Compensation Act 1958.

The Hon. I. A. SWINBURNE.—Clause 33 relates to the obligation of the licensee to restore the land to its former condition. He has further powers of entry and exit, but there does not seem to be any obligation on him to care for the land from that point onwards.

The Hon. R. J. HAMER.—I am sure the House would like to hear from Mr. Swinburne on that aspect. In some cases the pipe-line would cross open fields which would be used for grazing or agricultural purposes. The problem raised by Mr. Swinburne may or may not arise.

The Hon. I. A. SWINBURNE.—Have you heard of what happened in relation to the Shell pipe-line?

The Hon. R. J. HAMER.—The House will be happy to listen to Mr. Swinburne on that aspect. I am not dismissing his remarks. The obvious intention of the Bill is that the land shall be restored as near as possible to its former condition. Provision is made for compensation, but if there are other conditions that ought to be covered, I shall be glad to hear them.

The Hon. S. E. GLEESON.—Is there any provision for a minimum depth?

The Hon. R. J. HAMER.—No. I should think that would vary considerably according to the topography of the land. I am not sure that it is desirable or necessary to have such a provision, but I shall take advice on the subject. Clause 44 stipulates that when the licence in respect of the pipe-line expires or is cancelled, the person who was the licensee shall, at his own expense, remove such parts of the existing pipe-line as the Minister of Mines may direct, and restore the area to a condition satisfactory to that Minister.

Without going into all the details, this Bill provides a code in relation to pipe-lines. I have said enough to indicate the general principles and the way in which it is intended to operate. It is obvious that, with improved and more sophisticated techniques, further legislation will be required. It is necessary to make regulations as unobtrusive as possible, but also to make them relatively straightforward for anyone who requires to construct a pipe-line. As can be seen from the experience of other countries, it is inevitable that there will be further applications to convey not only water and oil, but also other materials. This is only the beginning of what could be a large development in transportation techniques. I commend the Bill to the House.

On the motion of the Hon. Archibald Todd, for the Hon. A. W. KNIGHT (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

LAND (SURF LIFE SAVING ASSOCIATION) BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

The Victorian State Centre of the Surf Life Saving Association of Australia, which is in course of incorporation under the Companies Act, has a solid background of twenty years' service to the swimming and bathing community of Victoria. Its aims and objects, are, amongst other things—

(*a*) to promote, advance and control the work of surf life saving, the resuscitation of the apparently drowned, and the application of "first aid" on surfing beaches;

(*b*) to provide efficient life-saving equipment of standard design;

(*c*) to foster, regulate, organize and manage examinations, competitions, and galas associated with surf life saving;

(*d*) to purchase or take on lease property deemed necessary for the carrying out of its aims and objects; and

(*e*) to do all such acts and things as are incidental or subsidiary to all or any of the above objects.

Over the years, Governments have recognized the worth of the services of this voluntary organization by the granting of substantial amounts towards administration, buildings and equipment. Commencing in 1948, an annual grant of $1,000 was made and, from time to time, this has been increased to the current year's grant of $16,000. Since 1948-49, an aggregate of $143,000 has been appropriated from revenue in this way. In addition, over the past two financial years and during this financial year, a total of $40,000 has been provided from loan funds to subsidize buildings for various clubs affiliated with the State Centre.

The Government regards these grants as a worth-while contribution to this voluntary organization which attends to the safety of the people who engage in swimming and bathing on what are mostly ocean beaches.

It is the boast of the Victorian State Centre of the Surf Life Saving Association that no life has been lost in the surf in Victoria where its patrols are on duty. This testifies to the vigilance and dedication of its members. The clubs mainly operate outside the Bay areas, and many are located where there are small areas of settled population. At present 25 surf life-saving clubs are affiliated with the Victorian State Centre, and they are located at Anglesea, Apollo Bay, Bancoora between Torquay and Barwon Heads, Barwon Heads, Cape Patterson near Wonthaggi, Fairhaven

near Aireys Inlet, Gunnamatta at Rye back beach, Jan Juc near Torquay, Kennett river, Lakes Entrance, Lorne, Ocean Grove, Point Leo, Point Lonsdale, Port Campbell, Port Fairy, Portland, Portsea, Seaspray, Torquay, Venus Bay near Inverloch, Waratah Beach, Warrnambool, Woolamai Beach and Wye river. The aggregate club membership is of the order of 3,000 members, over half of whom are active surf life savers.

Club buildings have been established in most club-controlled areas on ocean foreshores which have been permanently reserved in the public interest. The Land Act at present provides, amongst other things, that no land so reserved may be sold or leased or have a licence granted in respect thereof. The Government considers that it is expedient to protect the interests of the State in the grants so made. It considers, moreover, that in the interests of public safety the Victorian State Centre of the Surf Life Saving Association should be encouraged to preserve and maintain its property. A positive method of achieving this is to accord a secure form of tenure to the centre. The proposed legislation provides that all leases will be granted to the centre, which will be held responsible by the Department of Crown Lands and Survey for compliance with all the covenants and conditions of the leases. The centre in turn will enter into individual agreements with affiliated clubs, so that the centre has proper legal control over the clubs for the proper management and control of the buildings and equipment and for the necessary compliance with all covenants and conditions of the leases.

Clause 3 of the Bill provides for the following conditions in such leases—

1. A restriction as to use to the purposes of surf club activities including social activities, but provision is made for use as residential quarters for patrol members of surf clubs affiliated with the Surf Life Saving Association. It should be noted that Association rules provide for male members only.
2. The area shall not exceed in any one case one half acre.
3. The term shall not exceed twenty-one years. This is the normal term for leases for amusement and recreation, including football grounds, race courses, bowling clubs and the like.
4. A nominal annual rental of $10 payable to the Department. This should cover departmental administrative expenses.
5. Payment to the committee of management of the reserve within which the leased land is situated, of such annual amount on such terms and conditions as the committee and the Association agree upon, or in default of agreement as the Minister determines.

The latter provision is designed to meet some objections which have been raised by certain committees of management that their control of the reserves in which leases may be granted would be weakened. It is envisaged that such " terms and conditions " would include such provisions as the observance of certain regulations relating to the reserve in question, control as to access, parking of cars and the like. This could also take into account, in the assessment of the annual amount payable, fund-raising activities of an individual surf life-saving club and its effects on the fund-raising ability of the committee of management.

It is envisaged that the area of a lease will cover only the club buildings. Clubs will not be permitted to fence in additional areas of the foreshore reserve to the exclusion of the public. However, the terms and conditions of a lease will provide that an individual club shall not be denied the use of such part of the ocean

foreshore reserve outside the leasehold area as may be deemed to be essential to the operations of the club's patrol members.

Clause 4 concludes the Bill and provides the normal waiver of any liability by the Crown for payment of any money, consideration or compensation in respect of anything arising out of the Act. The Government is of opinion that this is a worth-while Bill, and I commend it to the House.

On the motion of the Hon. Archibald Todd, for the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

VICTORIA INSTITUTE OF COLLEGES (BOARD OF STUDIES) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

This measure arises from discussions which have taken place between the Government and the President and Vice-president of the Victoria Institute of Colleges, who consider that the Board of Studies of the Institute as at present constituted under the Victoria Institute of Colleges Act could become somewhat unwieldy. The Act provides for the representation on the Board of Studies on an *ex-officio* basis of the principals of all affiliated colleges. As the number of such colleges will undoubtedly increase, the Board of Studies could become a very large body, particularly as under the present statutes of the Institute it is possible to appoint to the Board " such other persons as may be not exceeding by more than two the number of *ex-officio* members ". Obviously the number of *ex-officio* members on the Board could be more than doubled.

The proposal which the Bill implements is that there shall be a maximum membership of ten on the Board of Studies, four of whom must be principals of affiliated colleges. The Bill retains the principle of two of the members being members elected by the teaching staffs of the affiliated colleges, which those staffs are anxious to preserve. Furthermore, provision is made for representation on the Board of the Chief Inspector of Technical Schools who, if certain legislation is passed, will become the Director of Technical Education. Provision is also made in the measure for the appointment of one professional officer of the Teaching Service, who will be nominated by the Director of Education who, if the change I mentioned takes place, will become the Director-General of Education.

In short, the Government is implementing the suggestions of those who have investigated the development of the Victoria Institute of Colleges system. If the measure is passed, it will mean that the Board of Studies, which is responsible for setting academic standards, examinations, courses, research projects, and so on, will be far more effective than under the existing constitution. I commend the Bill to the House.

On the motion of the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

PIPELINES (SUBMERGED LANDS) BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

This is the second of three Bills relating to the conveyance of gas and oil in Victoria. As I indicated when explaining the Pipelines Bill, it relates to the construction and operation of pipe-lines for the conveyance of petroleum in, under or

over the seabed adjacent to the coast of Victoria. It is concerned only with the transportation of gas and oil which is offshore and with pipe-lines conveying petroleum, which, as will be seen from the definition in the Bill, includes natural gas.

The reason why a separate Bill is needed is a constitutional one. Members of Parliament are becoming familiar with the problem which arises in relation to the offshore area. Legally, it is a field in which there is a great deal of unresolved dispute, here and all over the world. In the old days, it was fairly well settled that the territorial waters extended 3 miles from the coastline. That notion goes back to the 17th century when 3 miles represented the range of shore-based cannons, and therefore the area which could be commanded from the land mass.

More recently there had been claims that the area of jurisdiction extended to 12 miles and later still —this is the more common claim now —that the jurisdiction extends to the edge of the continental shelf. However, even that is not well defined. It is taken to be represented by the 100-fathom line. In any case, the claims are not universally admitted.

So, the offshore area is one in which the legal rights and obligations are very shadowy. In addition, in a Federal system, there are competing claims between the States and the Federal body—in our case, the Commonwealth of Australia. The Commonwealth is wont to say that if it concedes the territorial limits of the State of Victoria to be 3 miles from the coastline, then the Commonwealth has a more extensive jurisdiction farther out to the edge of the continental shelf. It would be ridiculous if there was not some way of resolving these claims in the interests of the people who want to explore and exploit the resources in this area. That led to a series of conferences between the Minister for National Development, the Ministers of Mines from the States and the Attorneys-General, with a view to working out a plan whereby the possibility of litigation could be avoided and terms agreed under which valid leases could be issued and which could be relied upon by the people who held them, to justify their spending money in the area.

The Hon. R. W. MAY.—Will this be a pattern for all other legislation, such as the Licensing Act?

The Hon. R. J. HAMER.—It will be a pattern only where there is this competition for legal rights. The efforts of the Ministers have been successful, and about a year ago Mr. Fairbairn, the Minister for National Development in the Commonwealth Parliament, and the State Ministers of Mines made a simultaneous announcement about a type of common code for offshore areas, and indicated that complementary legislation would be passed by the Commonwealth and the States to give effect to it.

The Hon. I. A. SWINBURNE.—South Australia was not happy about that.

The Hon. R. J. HAMER.—That was a different matter. That legislation has not yet been introduced in any State or the Commonwealth because since last December some refinements have been proposed to the common code, and some variations or different options have been suggested, which are in the process of being resolved. Victoria was in the position of having the only fields offshore which had been proved to be commercial and which were awaiting exploitation. Therefore, this State needed legislation to enable the companies concerned to go ahead.

This Bill takes from the common code the relevant portions applying to submerged lands and puts them into this Bill for the purpose of allowing the Barracouta and Marlin fields to be exploited for the benefit of Victoria and Australia generally. So, many of the provisions of this Bill are in fact the same as those in the common code which the various Ministers agreed upon.

The main purpose of the Bill is to provide that licences, exploration leases, and so on, may be granted, and that the recipient will have the knowledge that the validity of his right will not be under legal challenge. The scheme of the Bill is to permit the construction of offshore pipe-lines or to permit the maintenance of such pipe-lines in operation by a person who must be the holder of a pipe-line licence. Pipe-line licences may be granted by the Minister of Mines and, if granted, may be subject to such conditions as the Minister thinks fit and as he specifies in the licence.

The system has two important features. The first is that the discoverer of offshore petroleum is entitled to apply for and be granted a pipe-line licence to convey his petroleum to the shore, and, secondly, that the Minister may require a licensee to convey petroleum which is not his own through his pipe-line. The reason for this condition is that in the initial stages a pipe-line may have greater capacity than the licensee requires, and it would be a waste of money if petroleum belonging to other companies could not be conveyed through it.

Esso-B.H.P. or their subsidiaries are now prepared to use the gas in the Marlin field. They are to construct two production towers on the seabed from which, I think, seven holes will be drilled, and the gas will be drawn into the production towers and piped in a single line to the shore. That line will be constructed in the sea-bed by means of compressed air, and the oil will be conveyed to treatment works in the vicinity of Sale. The treatment towers are to be assembled at Welshpool where new port facilities are to be constructed. The total estimated expenditure to get this field into production is $154,000,000.

Honorable members have notes which give a full description of the clauses of the Bill, and I intend to refer only to the main structure of the measure. So far as the definition clause is concerned, its only relevant feature at the moment relates to petroleum, including both crude oil and natural gas, which may or will require to be transported from offshore fields.

The term "pipeline" is, by definition, confined to lines going ashore from a declared "terminal station" sited in the offshore area. It will be appreciated that a variety of pipes occur in the vicinity of wells in an oil field, and it will be seen from the Bill that provision is made for authorizing such works by means of pipe-line licences in some instances and by other forms of Ministerial consent in other instances.

Clauses 3 and 4 are interesting to the constitutional lawyer, because they adopt a formula which I think is watertight and which makes sure that the provisions of the Bill are within the legislative powers of this Parliament. This is to avoid the arrangements which have been made being declared unconstitutional as exceeding the powers of this Parliament.

Clause 5 requires that a pipe-line licence shall be obtained for the construction of a pipe-line. Testing of the line after construction or after any period during which it has not been in use is a necessary prerequisite to putting the line into operation.

I have already pointed out that, in on oilfield where appreciable development has taken place, the pipe-line system associated with such development may become quite complex. Clause 6 therefore provides that a variety of apparatus or associated works may be constructed in some instances under the terms of a pipeline licence and in other instances with a separate consent of the Minister. In other instances again, some such works may be authorized under the terms of a production licence. Honorable members will appreciate

the need for reasonable elasticity of arrangement in an industry in which techniques are continually changing and the local needs are expanding as the fields develop.

Clause 7 enables the Minister to issue orders for removal of any works constructed without authority and provides also that in the event of the person concerned failing to obey the order the Minister may himself arrange for removal of the works at the expense of the person on whom the order was served.

Clause 10 provides for the granting of authorities for surveying and testing of proposed pipe-line routes. Clause 15 relates to the term of a pipe-line licence, which may be a maximum of 21 years. Provision is made in clause 16 for application for a renewal, and clause 17 requires that a pipe-line licence shall be renewed where the pipe-line licence conditions have been complied with, and gives discretion to the Minister to grant or refuse renewal even where compliance has not been complete.

Clauses 19 and 20 provide for the conditions of a pipe-line licence to be varied while it is in force. The former clause deals with the case of a variation on application by the pipe-line licensee and the latter clause deals with the situation where the public interest would be served by the variation. Provision is also made to allow compensation to be paid to any persons put at a loss as a result of the variation. An example of the kind of variation that might be required under clause 20 could be the removal of part of a pipe-line to a new site where the position of the pipe-line might interfere with proposed new harbor works or port facilities.

Clause 21 contains provision to enable a pipe-line licensee to make emergency changes which might have to be made in the interests of public safety.

Clauses 22 and 23 are somewhat similar to clauses in some Canadian legislation which provide that a Minister may declare an existing pipe-line to be a common carrier.

The Hon. I. A. SWINBURNE.—Will a transport licence be necessary?

The Hon. R. J. HAMER.—The purpose of this provision is to avoid unnecessary duplication. I think honorable members will appreciate the force of this; it is an economic consideration.

Sub-clause (2) of clause 22 provides that a pipe-line licensee and a person other than a pipe-line licensee may reach agreement of their own accord for the conveyance in the pipe-line licensee's pipe-line of that other person's petroleum. Sub-clause (1) provides that the Minister may require the parties concerned to negotiate an agreement, while clause 23 indicates the procedure, in the event of the parties failing to reach agreement, by which the Minister may direct the pipe-line licensee to carry the other person's petroleum.

A provision of this type is embodied in Canadian legislation, because it sometimes happens that a pipe-line owned by one person has excess capacity which can be used by somebody else to common advantage. Perhaps I should explain that the Canadian experience is that this sort of Ministerial compulsion has never had to be resorted to; the mere existence of the provision serves to ensure that the parties concerned reach agreement on their own account. On the other hand, the conveyance of one person's petroleum through another person's pipe-line has frequently been resorted to.

Clause 24 is designed to ensure that a pipe-line cannot cease operation without the consent of the Minister and, when consent is given, cessation must be in accordance with conditions stipulated by the Minister.

Clause 34 is of some importance. It provides that the Minister may give directions to a pipe-line licensee as to any matter with respect to which regulations may be made. Honorable members will be aware that operations for the recovery of petroleum in open sea areas are relatively new anywhere in the world and are completely new in this country. There is insufficient experience available either here or abroad to ensure that regulations are framed which are completely adequate to cope with all situations which may arise, and this provision is inserted mainly to ensure that action may be taken for public safety and in the public interest if situations arise unexpectedly which require action and for which no provision has been made in the regulations. It is contemplated that, if it should become necessary to give such directions, these directions themselves would probably become the basis of new regulations, and so the need to give directions would progressively decrease and might ultimately cease to exist.

I would add that operating regulations which are part of the common code are in an advanced stage of drafting and that overseas codes have naturally been drawn on heavily in their preparation. Until these regulations are operative, it is proposed that the powers of direction given in this clause will be invoked to provide that such overseas codes will, where appropriate, apply with the force of regulations.

Clause 36 is somewhat similar. It deals with a variety of circumstances in which it may be found impractical for a pipe-line licensee to comply with any of the conditions of his pipe-line licence, and it empowers the Minister under such circumstances to vary, suspend or exempt the pipe-line licensee from such compliance and similarly with compliance with any of the provisions of the Act or regulations. Such exemption, however, is not to affect the term of the licence.

Clause 37 is concerned with applications by licensees for surrender of a pipe-line licence as to part or all of a pipe-line, and it sets out the conditions on which the Minister will permit surrender.

Under clause 41, the Minister is enabled to remove the property or make good any damage where the pipe-line licensee has failed to comply with a direction under the preceding provision.

The Hon. I. A. SWINBURNE.—The Minister will have a job!

The Hon. R. J. HAMER.—I do not know what facilities he will have in Bass Strait. It is recognized that some or all of the property which is to be removed may belong to parties, such as contracting parties, other than the pipe-line licensee. Provision is made therefore to notify by publication in the *Government Gazette* the owners of the property concerned that the property must be removed within a specified period. Property required to be removed, which is left after the expiration of the specified period, may then be removed by the Minister and sold. The Minister may deduct from the proceeds of such sale such amounts as are necessary to meet the costs incurred in doing any work which should have been done, or of paying any fees which should have been paid by the owner of the property.

I have given a broad outline of the Bill. It is confined to the underwater conveyance of petroleum, and it complies precisely with the wording of the common code already agreed upon. To enable production to be started in this very important Marlin field, I am sure that the House will welcome this measure and give it a speedy passage. I commend the Bill.

On the motion of the Hon. Archibald Todd, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2).

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

This measure is of a similar nature to others which have been periodically submitted to Parliament in the past to seek legislative approval for specified reserves to be dealt with for purposes which differ from those for which they were permanently reserved under the provisions of the Land Act. Five reservations are referred to in the present Bill and, for the information of honorable members, I shall proceed to give background details of each of the reserves in the order set out in the First and Second Schedules. The First Schedule covers two reservations which are proposed to be revoked in full. They comprise the following:—

ITEM 1.—PARISH OF DEREEL.—SITE FOR A MECHANICS INSTITUTE AND FREE LIBRARY.—This reservation is situated in a locality known as Illabarook in the Shire of Grenville. It contains an area of one acre which, after being temporarily reserved in 1885, was permanently reserved on the 19th February, 1889, as a site for a mechanics institute and free library. Trustees were first appointed for the land on the 2nd April, 1889, and from time to time others have been appointed, but it has been ascertained that the last recorded trustees are all deceased. The buildings on this reservation were destroyed by fire in 1946, and there are now no permanent improvements on the site. A new public hall has been built in another location.

Subject to the reservation being revoked, it is proposed to sell the area of one acre under the provisions of the Land Act. Shire council, Mines Department and Lands Department reports are favourable to the proposed revocation of the reservation and subsequent sale, as the land is no longer required for the purpose for which it was originally reserved.

ITEM 2.—TOWNSHIP OF CAMPERDOWN—SITE FOR A MECHANICS INSTITUTE AND FREE LIBRARY. This reserve consisting of an area of one rood, was temporarily reserved as a site for a mechanics institute and free library in 1888, and subsequently permanently reserved on the 21st May, 1889, following representations by the local committee which had undertaken to spend a considerable amount of money on permanent improvements. The land is known as allotment 3, section 18, township of Camperdown, and it has a frontage of 100 links to Manifold-street, with a depth of 250 links.

Substantial improvements, including shops along the Manifold-street frontage, have been erected on the site, and the Camperdown Town Council has approached the Lands Department with a view to obtaining occupation of the area so that the council may implement plans for the development and improvement of the reserved area, and also the adjoining freehold land which is owned by the trustees of the mechanics institute. The council's planned development includes the erection of additional buildings for various recreational purposes, youth centre, supper room and other amenities.

The trustees have agreed to the site being taken over by the municipality, and have undertaken to assign the institute's adjoining freehold land and buildings, cash and other assets to the council in trust for the project. In return, the council will effect the proposed alterations and additions to the premises and assume responsibility for the institute's liabilities. The council has been keen to implement this project for some time, as it will serve the best interests of the local people and provide improved community facilities.

The proposal therefore is to revoke the permanent reservation made in 1889, after which the Lands Department will issue a lease under

section 134 of the Land Act 1958 to the council for the purpose of amusement and recreation. The issue of a lease is favoured departmentally in this case, as it would give power to sublet to tenants of the new structures and the council could appoint its own committee to manage the property under section 241A of the Local Government Act. Those dealings would not be legally possible if a fresh reservation were made and the council appointed as a committee of management under the Land Act. The proposed lease term is 21 years, with a yearly rental of $10, which is the statutory minimum under the Land Act.

The Second Schedule refers to three reservations, itemized in Part I. of that schedule, which are proposed to be revoked as to the portions respectively shown in Parts II., III. and IV. of the schedule.

ITEM 1.—PARISH OF CUT-PAW-PAW (WILLIAMSTOWN)—SITE FOR A PUBLIC PARK. An application, supported by the Williamstown City Council, through the honorable member for Williamstown, has been made by the Williamstown Elderly Citizens' Village Society to obtain an area of 5 acres 1 rood 38 perches as a site on which to establish an elderly citizens' village in that municipality. The land desired fronts Park-crescent, Williamstown, and comprises two portions: First, 3 roods 38 perches, formerly granted to the Housing Commission but now surrendered to the Crown, and, secondly, 4 acres 2 roods, being part of the public park reserve. This reservation of 8 acres 1 rood 33-2/10 perches, which is the remaining section of a larger area set apart for park purposes in 1860, was permanently reserved as a site for public park on the 6th November, 1963.

It is understood that the elderly citizens' village will ultimately house 60 people. Planning is for the village to be established in five stages, each stage to provide units to house twelve persons. The buildings will be erected to conform with the requirements of the Hospitals and Charities Commission and the Commonwealth Social Services Act. The society, which is registered with the Hospitals and Charities Commission, was sponsored in its initial stages by the Lions Club of Williamstown. The municipal council and the Hospitals and Charities Commission have approved of the project, and the Melbourne and Metropolitan Board of Works offers no objection to the area being rezoned by the Board for inclusion in "residential C" zone. The Lands Department is favorable to the proposal, and the site has been surveyed at a cost of $80, which was paid by the Williamstown City Council.

It is therefore proposed to excise the area of 4 acres 2 roods so that this portion of the reserve, together with the adjoining area of 3 roods 38 perches surrendered to the Crown by the Housing Commission, may be reserved under the Land Act as a site on which to establish an elderly citizens' village.

ITEM 2.—PARISH OF DOUTTA GALLA (FLEMINGTON)—SITE FOR PUBLIC RECREATION. This reserve, comprising 3 acres and 32 perches, is situated at the corner of Epsom-road and Smithfield-road adjoining the Flemington racecourse. Prior to 1958, the area was included in a lease held by the Victoria Racing Club, but when the main racecourse area was marked on the ground, this land was excluded from the lease area, as it was obviously under the physical control of the Melbourne City Council.

Subsequently, with the concurrence of the council, the area of 3 acres and 32 perches was temporarily reserved under the Land Act as a site for public recreation and placed under the control of the council as committee of management. On the 14th January, 1964, the area was permanently reserved by the Governor in Council for the same purpose. The Melbourne City Council has received a number of requests for the

rounding of the corners at the intersection of Smithfield-road and Epsom-road, in order to facilitate turning by heavy transport vehicles. The council has advised that, with the concurrence of the Country Roads Board, it has approved of the rounding of the north-west corner of the intersection to give a turning width of 18 feet.

This scheme, which includes the widening of Smithfield-road by about 7 feet along part of its western alignment, will necessitate the excision of a small area of 14 perches from the permanent reserve to provide sufficient land for the rounding. The project has been examined by the Lands Department and is recommended, as it will improve the traffic flow at this intersection. It is therefore proposed to excise the area of 14 perches from the permanent reserve so that the land may be proclaimed as a road pursuant to section 25 of the Land Act 1958.

ITEM 3.—TOWNSHIP OF BULLARTO SOUTH AND PARISH OF BULLARTO—SITE FOR WATER SUPPLY PURPOSES. This reserve consists of an area of 1012 acres 2 roods 24 perches. It was permanently reserved as a site for water supply purposes on the 9th January, 1893, and placed under the control and management of the Borough of Daylesford Waterworks Trust on the 30th January, 1894. Three small portions of the reserve —comprising in all a total area of 2 acres 3 roods 31 perches—have been utilized by the Country Roads Board in connexion with deviation works on the Daylesford-Trentham road.

The Daylesford Waterworks Trust, the Lands Department and the State Rivers and Water Supply Commission are agreeable to the excision of the three small areas. Subject to the required excision from the permanent reserve being approved by Parliament, it is proposed that the land will be made available to the Board for road purposes. I commend the Bill for the favorable consideration of the House.

The Hon. V. O. Dickie.

On the motion of the Hon. Samuel Merrifield, for the Hon. J. M. WALTON (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

PETROLEUM (BARRACOUTA AND MARLIN FIELDS AGREEMENT) BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

As the title indicates, this is a Bill to ratify an agreement made between the State of Victoria and Haematite Explorations Proprietary Limited and Esso Exploration and Production Australia, Incorporated, with respect to the recovery of petroleum resources from submerged lands adjacent to Victoria. These lands, of course, are known collectively as the Gippsland shelf area, and the two fields have been named by the discoverers "Barracouta" and "Marlin", the Barracouta field being nearer to Sale than the Marlin field, which is about 28 miles off Lakes Entrance.

Perhaps I should inform the House of the latest information that I have been able to glean about the resources in these two fields. Honorable members will recall that Dr. Hetherington's estimate of the gas reserves in the Barracouta field was 1.5 trillion cubic feet—sufficient to supply all the estimated needs of Victoria for upwards of at least twenty years. The gas in the Barracouta field is a wet gas which contains an amount of condensate which can readily be converted into petroleum. The reserve in the Barracouta field is estimated at 50,000,000 barrels.

The Hon. I. R. CATHIE.—What is it worth?

The Hon. R. J. HAMER.—I shall deal with that aspect shortly. The Marlin field is now thought to be about three times as big as the

original Barracouta field. The estimated gas reserves in the Marlin field are more than 4 trillion cubic feet and, quite apart from whatever oil is there—and there is some doubt about the exact extent of it without further drilling—the gas is wetter than the Barracouta field gas and is estimated to contain in condensate something like 300,000,000 gallons. That is the latest information available on this question.

It would also be relevant to say that there are other structures on the Gippsland shelf which may contain oil or gas or both. Probably, the permit holders or licence holders have explored the most promising areas first, but it seems that there may be other discoveries as well on the Gippsland shelf. Each of these fields is approximately 50 square miles in extent; there is, therefore, a good deal more room on the Gippsland shelf for further discoveries.

I shall now turn to the Bill. The recitals to the agreement give something of the history of this matter. Haematite Explorations Proprietary Limited which, as most people know, is a wholly-owned subsidiary of Broken Hill Proprietary Company Limited, is the actual holder of petroleum exploration permits under the Petroleum Act 1958 in respect of certain areas of submerged land adjacent to the State and, with the consent of the Minister of Mines, it has entered into an agreement with Esso Exploration Australia Inc., for the purpose of exploring for petroleum and exploiting any discoveries of petroleum made under these permits.

Having found a commercial field, these two companies now desire to carry out operations for the recovery of petroleum from the areas where discoveries have been made. Naturally, before they lay out considerable sums for the development of the field, the companies desire to have as much assurance as they can concerning the legal rights of their leases.

The Hon. I. R. CATHIE.—They have been given away to the Standard Oil Company.

The Hon. R. J. HAMER.—Mr. Cathie keeps chattering away, but if he will allow me to continue, I shall fully explain the purpose of the Bill. The Government believes that the benefits which the State will derive from the operations in question, and the desire of the State that these operations should commence as soon as possible, make it desirable that such assurances as can be given should be given to these companies so that development can proceed.

The Hon. A. J. HUNT.—The companies must have assurances.

The Hon. R. J. HAMER.—They must have assurances so far as they can be given. Honorable members know that for some time there have been discussions between the Commonwealth and the States for the purpose of reaching agreement on a system of legislation to control and safeguard the exploration for, and the use of, petroleum resources in Australian offshore areas, both within and beyond the territorial limits, whatever they may be. The whole objective of these discussions was to reach agreement on a scheme which would give some certainty of legal title to operators in offshore areas who incur the very substantial expenditure involved in offshore exploration and, at the same time, enable the constitutional issues which are considerable to be put on one side and avoided.

There has been a great deal of litigation in the United States of America concerning offshore areas, and apparently litigation is also imminent in Canada. The agreement that has been reached will prove of great advantage to all concerned. A common code has been arrived at, and perhaps I should remind the House of the events which have a bearing on it. Two public statements have been made on this question. The first statement which

was made concurrently by all State Ministers of Mines and the Minister for National Development on the 16th November, 1965, outlined briefly the principles which would be included in the proposed legislation. This announcement was followed by a second statement on the 30th June, 1966, outlining certain modifications of the scheme agreed to between the States and the Commonwealth.

The Hon. ARCHIBALD TODD.—What about the other statement?

The Hon. R. J. HAMER.—To which statement is Mr. Todd referring?

The Hon. ARCHIBALD TODD.—I am referring to the statement of the Premier to the effect that the average gas bill for consumers will be reduced by 50 per cent. when natural gas is available.

The Hon. R. J. HAMER.—That is quite a different matter and has nothing to do with the agreement to which this measure refers. Honorable members will know that it has been agreed that there will be established over the offshore areas a graticule system of blocks, the size of each graticule block to be five minutes of arc of longitude—in more prosaic terms, it is an area of about 25 square miles.

The agreement, as contained in the common code, was that, following the discovery of petroleum, the discoverer would be entitled to select five blocks out of a location area of nine blocks and would be granted a production licence in respect of them. The remaining four blocks were to revert to the Crown, and the proposition was that these four blocks would be disposed of by the adjacent State by tender, with the discoverer having the right of first option over any block at the top price offered by any other tenderer. It is important to note that the adjacent State is to retain the price in the sale of these blocks. Originally it was assumed, and certainly considered, that these four blocks would be of considerable value when offered for tender. That expectation has, I think, somewhat lessened, and it has led to the modification which I shall describe in a moment.

The Hon. I. R. CATHIE.—How do we know that?

The Hon. R. J. HAMER.—By using commonsense.

The Hon. I. R. CATHIE.—Every other country in the world uses the auction system.

The Hon. R. J. HAMER.—It is used in a few countries, one of which is Canada, but mostly it is used on land, which is quite a different matter from offshore areas. The expenditure incurred in boring and drilling for oil in offshore areas is tremendous, and I do not think any company could be expected to tender for these four blocks without at least some preliminary investigation. There are other areas which are still open for exploration. At any rate, people better informed than I consider that it was optimistic to expect that these four additional blocks could be sold for the price which it was hoped would be obtained.

This method of disposal of the remaining four blocks has received long and careful consideration by all State and Commonwealth Ministers who, at a joint meeting held in Adelaide on the 25th January last, agreed to an alternative arrangement whereby the discoverer, in addition to obtaining a production licence over the five blocks can, by agreeing to pay an over-ride royalty, buy, as it were, a production licence over the four remaining blocks; this over-ride royalty is to be payable on petroleum produced from all nine blocks. This was unanimously agreed to by the State Ministers and the Commonwealth.

The Hon. I. R. CATHIE.—An extra 1 per cent.?

The Hon. R. J. HAMER.—It may be 1 per cent. or something else, but it is 1 per cent. in this case.

The Hon. A. W. KNIGHT.—Did you say " on all petroleum produced? "

The Hon. R. J. HAMER.—Yes, and by that I include natural gas.

It is this alternative arrangement which the Government has adopted—with the approval of the Comonwealth and all the other States—in respect of the Barracouta and Marlin discoveries. An over-ride royalty of 1 per cent. on production from all blocks covered by the production licence to be granted has been imposed by the Government and is payable to Victoria; further, it has been agreed between the Victorian Government and the Commonwealth that the standard 10 per cent. royalty will be divided on the basis that Victoria will receive 6 per cent. and the Commonwealth 4 per cent. instead of the equal divisions as previously agreed between the Commonwealth and the States. This arrangement, looked at from any angle, must be considered to be highly satisfactory to Victoria. Originally it was to be 5 per cent. each, but the Commonwealth, recognizing that the four additional blocks will not bring in as much as originally thought when the original agreement was drawn up, has agreed that the State shall receive a reasonable return of 7 per cent., and the Commonwealth 4 per cent.

The Hon. SAMUEL MERRIFIELD.—For the additional 2 per cent. to the States, these other four blocks are given out and the company can get 89 per cent.

The Hon. R. J. HAMER.—The royalty is payable on each gallon of petroleum or cubic foot of gas taken out of the whole nine blocks.

The Hon. I. R. CATHIE.—It is giving away the natural wealth of the country.

The PRESIDENT (the Hon. R. W. Mack).—The honorable member should not make that sort of interjection. I do not want to restrain him from asking questions, but that sort of comment is a matter for his second-reading speech.

The Hon. ARCHIBALD TODD.—The Minister is provoking us.

The Hon. R. J. HAMER.—I shall endeavour to be less provocative. For the information of the House, the history of this matter, very briefly, is that in 1960 Haematite Explorations Proprietary Limited was granted a Petroleum Exploration Permit (No. 38) over an area of 4,450 square miles off the Victorian coast. This permit was granted under the Petroleum Act 1958. This Act was drafted having only land operations in mind, and while reasonably adequate for land exploration is quite inadequate and quite inappropriate for offshore development and production of petroleum. For instance, it makes no provision for surrender of areas on discovery of petroleum. It imposes no limit on the number of leases of up to 100 square miles that may be granted, and royalty is fixed at 10 per cent.

In May, 1964, an agreement was entered into between Haematite and Esso which required the latter company to undertake an extensive programme of geophysical survey and drilling over the area covered by the petroleum exploration permit. In December, 1964, the first well, Barracouta A.1, was spudded in, and in April, 1965, the well was completed, with tests giving high yields of gas from a sand section indicated by electric logs to be of very considerable thickness. In July, 1965, a step-out well, the Barracouta B.1, was completed with gas tests confirming those obtained from Barracouta A.1. I have mentioned that the estimated gas reserves of the Barracouta field are of the order of 1.5 trillion cubic feet. I should mention that since Dr. Hetherington made that estimate, the Gas and Fuel Corporation, for its own purposes, has brought out a consultant named Mr. Gruen to conduct a check—this was a wise precaution—and his estimate is higher; it could be 1.7 or 1.8 trillion cubic feet.

The Hon. P. V. FELTHAM.—Is that an American trillion, which is a million million?

The Hon. R. J. HAMER.—Yes, is there any other trillion?

The Hon. P. V. FELTHAM.—There is the British trillion, which is one million million million.

The Hon. R. J. HAMER.—This is one million million. In December, 1965, the Marlin A.1 well was spudded in, and tests indicated a gas-capped oil pool. Step-out wells Marlin B.1 and Marlin C.1 drilled and tested subsequently confirmed gas reserves in excess of the Barracouta field with expectations of a major oil field. I throw in the caution that the tests for oil have been somewhat contradictory, and the discoverers are not prepared to say how much oil is there.

The companies sought production titles and, indeed, the first application for a petroleum mineral lease over the Barracouta field was lodged with the Mines Department on the 14th December, 1965. No immediate decision was made on this application because it was confidently expected that the joint Commonwealth-States scheme for controlling offshore areas would be completed and in operation before production titles were absolutely essential. For the reasons that I have given the House, that has not so far happened. For both legal and technical reasons, it therefore became imperative to grant production titles to the discoverers.

To enable the development of the discoveries to proceed without delay, the Commonwealth Goverment, and indeed every other Government in Australia, has taken the view that special arrangements must be made to enable licences to be granted to these companies which want to go into production at the earliest possible date. I think the same position applies to a company at Barrow Island in Western Australia. I have already indicated to the House that the minimum expenditure contemplated by the discoverers to get this field into production is $150,000,000.

The Hon. I. R. CATHIE.—Who made that estimate?

The Hon. R. J. HAMER.—That is the company's estimate.

The Hon. I. R. CATHIE.—Has the Government made an estimate?

The Hon. R. J. HAMER.—It is the company's estimate. The Government believes that this will lead to a substantial contribution not only to development in Victoria, but also, and perhaps what is of more importance, to Australia's overseas balance of payment problems.

The agreement and the licences proposed to be granted are very much in the spirit of the common code, and the Commonwealth Government has indicated that it will be prepared to preserve the rights granted under these licences when the common code comes into operation.

The Bill itself is comparatively short, and a full set of notes on the clauses is in the hands of honorable members, so I shall refer only to some of the more important clauses.

Clause 4 expressly ratifies the agreement and contains other provisions directed to that end. Subclause (1) of clause 5 relates to the application of Commonwealth and State laws concerning petroleum to licensed areas, a matter to which reference has already been made. Sub-clause (2) provides that, for the purposes of the application of the Petroleum Act 1958 and the Mines Act 1958, any licences granted shall be deemed to be petroleum mineral leases granted under the Petroleum Act 1958, and that the companies shall be deemed to be the lessees thereunder. This sub-clause goes on to provide that the companies shall not be required to comply with the provisions of sub-sections (1) and (2) of section 33 of the Petroleum Act 1958. The reason for this is that section 33 of the Petroleum Act requires the lessee within six months of the date of the execution of the lease, amongst other things, to commence drilling at least one test well, a requirement that is inappropriate and undesirable in the

circumstances which obtain in respect of these two fields where production is imminent.

In this connexion, I should like to point out that clause 15 of the production licences to be granted requires the licensee, during each year of the term, to carry out in the licence area work approved by the Minister to the value of the amount calculated by multiplying the sum of $100,000 by the number of blocks included in the licence. This clause is aimed at ensuring activity on the part of the licensee in the licence area, and, accordingly, there is provision for an offset of the value of production against the stipulated expenditure.

Clause 7 relates to payment of royalty by the State to the Commonwealth of 40 per cent. of the standard 10 per cent. royalty collected by the State. I have already stated that, in addition to the standard royalty of 10 per cent., the Government negotiated an over-ride royalty of 1 per cent., the whole of which will be retained by the State.

The Hon. I. R. CATHIE.—What does 1 per cent. mean in terms of dollars?

The Hon. R. J. HAMER.—I cannot answer that question off-hand, but obviously it will depend on the production. It will also depend on a rather complicated formula. I shall endeavour to obtain the answer for Mr. Cathie. The agreement itself is set out in the schedule to the Bill. It is made between the State of Victoria and the company. I do not think I need to mention more than a few of the provisions in the agreement.

Clauses 4, 5 and 6 of the agreement are concerned with production licences to be granted, the term of these licences, the forms they will take, and the area which they will cover. The areas over which these licences will be granted will, of course, cease to form part of the areas in respect of which exploration permits have been granted under the Petroleum Act 1958. Sub-clause (2) of clause 8 makes it clear that, save for the provisions of sub-sections (1) and (2) of section 33 of the Petroleum Act 1958, to which I have already referred, the Petroleum Act 1958, and the Mines Act 1958 shall apply to the production licences to be granted as if these were leases granted under the Petroleum Act 1958.

The form of the production licences to be granted is set out in the First Schedule. I shall not comment upon the production licences, other than to say that the rent fixed for each block in the licence area is $3,000 per annum. Of course, that is only a minuscule part of what will be received from the field; the main consideration will be the royalty received on production.

Clauses 5 to 13 are concerned with royalty which has been fixed at the rate of 11 per cent. of the well-head value of petroleum recovered from the licence area. I shall endeavour to ascertain the quantitative figure to put on that, but it is obvious that the rate of production is a vital factor.

The Hon. A. J. HUNT.—Is petroleum defined as including gas?

The Hon. R. J. HAMER.—Yes. Clause 15 is the expenditure covenant and is identical with the expenditure covenant in the "common code". It is aimed at keeping a licensee active, and calls for expenditure on approved work in each licence area of $100,000 per block per annum. This means that the companies must expend not less than $900,000 per annum on the Barracouta field, with a similar sum to be expended on the Marlin field.

The Hon. I. A. SWINBURNE.—Which is the field referred to in the schedule?

The Hon. R. J. HAMER.—For this purpose it does not matter. It is $100,000 per block.

The Hon. I. A. SWINBURNE.—Could you define the Barracouta and Marlin fields?

The Hon. R. J. HAMER.—I shall endeavour to do so at a later stage, after studying the small print in the map in the schedule.

The Hon. ARCHIBALD TODD.—Why is the royalty based on the well-head value?

The Hon. R. J. HAMER.—I understand that that is common practice throughout the world. The same principle is applied to all royalties for minerals.

The Hon. A. W. KNIGHT.—It includes condensate and other factors.

The Hon. R. J. HAMER.—That is so. Clauses 16 to 19 impose duties on the licensee with regard to the construction and maintenance of all installations on the licence area. The licensee is required to carry out operations in such a manner as to ensure there will be no objectionable interference with navigation, fishing and the like, and must within three days of discovery of the event give notice to the Minister of any event causing escape or waste of petroleum, or damage to petroleum bearing strata.

Clause 24 requires the licensee to permit any person authorized by the Minister to inspect the licence area or any installations thereon, and requires the licensee to assist the person making the inspection in every possible way. Clauses 25 and 26 are most important and require the licensee not to abandon wells without the prior written consent of the Minister, to make good any damage done to the sea bed or sub-soil of the licence area, and to make satisfactory provision for the conservation and protection of the natural resources of the licence area.

I have touched only on some of the more important clauses in the agreement in the schedule, but I think I have said sufficient to illustrate that this is an extremely important agreement. The Bill itself is very important. It is the first of several which may come before Parliament. It is not often that a Bill presented to the House gives such promise of development and benefit to the State—a benefit which, as we now know, will flow to New South Wales and other States within the foreseeable future. I therefore commend the Bill to the House.

On the motion of the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

RAILWAYS (STATE COAL MINE OFFICERS) BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

This is a small measure to improve the basis on which long service leave entitlement will accrue to staff at the State Coal Mine, Wonthaggi, when their service terminates on the grounds of redundancy.

Long service leave for staff at the State Coal Mine is provided for in sections 187 to 189 of the Railways Act, 1958, No. 6355. Section 189 provides that railway service includes, amongst other things, service as an officer or employee at the State Coal Mine. As the Act stands at present, when the service of an officer or employee terminates because he is redundant, he is eligible for payment in lieu of long service leave only if he has completed fifteen years' service. Further leave accrues in respect of each five-year period of service.

As honorable members are aware, mining operations at the State Coal Mine have been diminishing for some time, and, as there is no likelihood of improvement, more staff will become surplus as time goes on. Because staff displaced at the mine cannot be offered alternative employment in the same industry, the Government considers that it would be reasonable to regard such staff, upon

termination of service, as being prevented, for reasons outside their control, from qualifying for the full period of long service leave that would have accrued in the ordinary course.

It is therefore proposed to put an officer or employee at the State Coal Mine, whose service terminates because he is redundant, on the same basis in respect of long service leave as already applies to an officer or employee who retires or dies. This means that payment would be made for *pro rata* long service leave in respect of each completed year of service, subject to a minimum of five years. The Bill provides accordingly, and I commend it to the House.

On the motion of the Hon. A. W. KNIGHT (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

THE GEELONG GAS COMPANY'S BILL.

The debate (adjourned from the previous day) on the motion of the Hon. V. O. Dickie (Minister of Health), for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—The object of this Bill is to raise the borrowing capacity of the Geelong Gas Company from $1,500,000 to $4,000,000 for the purpose of utilizing natural gas. It is as simple as that. The Geelong Gas Company has rendered magnificent service to Geelong and the surrounding community, and members of my party have nothing but praise for that organization. We wish the company well in its future works on behalf of the people whom it serves, and support the measure in every respct.

The Hon. H. A. HEWSON (Gippsland Province).—The Country Party also supports this measure, whose object is to raise the borrowing capacity of the Geelong Gas Company. At present the company is allowed to borrow to a maximum of $1,500,000, and the proposal to increase the limit to $4,000,000 will enable the company to improve its facilities and expand its reticulation system to handle the changeover to natural gas.

I was interested to read the Premier's comments refuting Dr. Charles Hetherington's assertion that the Geelong Gas Company ought to be absorbed into the Gas and Fuel Corporation. His reasoning was that it would be an alternative supply in the event of a strike or some other interruption of supply. I wonder whether Geelong is likely to have an independent supply of natural gas. The Premier's reasoning would not work out because, if anyone was affected by an interruption of the supply of natural gas, Geelong also would be affected. I do not think his argument is a very sound one. However, there is little point in pursuing that aspect. The Bill is necessary because it is only proper that the company should have the right to borrow in conformity with its needs.

The Hon. G. W. THOM (South-Western Province).—I wholeheartedly support the Bill. When doing some research on the commencement of the Geelong Gas Company, I found that the Bill to establish this company was introduced in the very early days of Victoria, in 1858. It is interesting to note that the preamble to that measure commenced as follows—

> Whereas the town of Geelong and municipal district of Newtown and Chilwell are large and populous—

There were 24,000 residents in the locality when the census was taken in 1857. At that time Victoria's population was 410,000. The need for a gas supply, when the industry was in its infancy, was realized, and the company has had a very successful and honorable career since 1858. Its original capital was £50,000. Of course, this amount has been greatly increased. There may be some misapprehension about what the Bill

does. It has two effects. First, it increases the nominal capital of the company from $1,500,000 to $4,000,000. So far as borrowing is concerned, the Act already provides that the company may borrow twice the amount of its paid-up capital. All the Bill does is to remove the restriction that it can borrow from a bank not more than $200,000. This matter is dealt with in sub-section (2) of section 6 of the principal Act.

The Hon. ARCHIBALD TODD.—Would not the bank be taking a great risk?

The Hon. G. W. THOM.—No; the company has been very well managed over the years, and careful attention has been given to the ratio of borrowings to paid-up capital. With the increase the company has sought in its nominal capital, the company will be able to call up further capital later on to provide finance for the expansion that will be necessary consequent upon the introduction of natural gas. The Geelong Gas Company has been a pioneer in its field since 1858. The company's latest effort in pioneering took place in 1960, when it was responsible for the reforming of the refinery gases process, which has since been adopted by large gas undertakings in a number of centres. After investigation, the company has made plans for conversion to natural gas, and is considering submissions made to it by its consultant contractors. It appears that the changeover can be made without any major dislocation.

The Hon. D. G. ELLIOT.—What charge per therm will the company impose?

The Hon. G. W. THOM.—I could not say, but it will be very competitive with other charges throughout the State.

The Hon. SAMUEL MERRIFIELD.—Have you done any research on the future of the company?

The Hon. G. W. THOM.—It has not been necessary for me to do such research, because of the faith I possess in the businesslike management of the company. I should like to make one final point in commending the Bill. Many honorable members have had difficulty in finding the original Act relating to the Geelong Gas Company, which was the result of a private member's Bill, and the amendments to it. Acts relating to local matters and Acts resulting from private Bills should be consolidated. I understand that this proposal was considered when general consolidation of legislation was under consideration, but no action was taken to implement it. I strongly urge the Government to give some attention to this matter because consolidation of those Acts would be of great help to the functioning of Parliament.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

POLICE OFFENCES (OBSCENE PUBLICATIONS) BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

The purpose of this small Bill is to give effect to a resolution of a recent conference of Commonwealth and State Ministers in Canberra on the question of obscene publications. It does that by amending Part V. of the Police Offences Act 1958. Most honorable members are aware that for some time efforts have been made to reach agreement with the Commonwealth on a system embodying a more uniform approach in dealing with the problem of obscene publications. Because of several farcical events, the need for more uniform action was obvious, but discussions have extended over some considerable time. This Bill is the result of eventual agreement.

The State Ministers submitted a plan to the Commonwealth for the uniform censorship of books and literature of artistic or scientific merit

and, after lengthy consideration, the Commonwealth agreed to the principle of the plan proposed. That principle was to establish a new Board to be styled the "National Literature Board of Review," to replace the existing Literature Censorship Board and the Literature Censorship Appeal Board. It is proposed that the Commonwealth establish the new Board under the provisions of the Customs (Literature Censorship) Regulations, which will then be amended to abolish the existing Commonwealth literature Boards.

Each State has agreed to pass legislation to give immunity to members of the new Board from civil action arising from any opinion expressed on any book, &c., submitted for the opinion of the Board for the purposes of the Customs Act or a corresponding State Act. That is provided for in clause 3 of the Bill.

It may be asked how this Board will operate. Its operation will be the subject of an agreement between the Commonwealth and the States. That agreement will give details of how publications which are said to be of literary, artistic, or scientific merit are to be submitted to the new Board. It has been agreed that the membership of the new Board will consist of nine members appointed by the Governor-General on the recommendation of the Commonwealth Minister. Six of those persons are to be nominated by the Commonwealth Minister, and three are to be appointed from a panel of persons nominated by the States. Each State Minister shall be entitled to nominate three persons to that panel. The purpose of the membership provisions is to ensure, so far as possible, that the Board will be broadly based in regard to qualifications and background of members.

References to the Board will be confined to imported or locally introduced books in which, prima facie, there is literary, artistic, or scientific merit. I cannot go further than that, because that matter is to be the subject of an agreement which has yet to be presented to Parliament.

Clause 2 inserts a new section 116A to provide that no prosecution shall be taken against any person in respect of any book, pamphlet, magazine, or periodical otherwise than by a member of the Police Force, with the written authority of the Chief Secretary. This provision will ensure that the Chief Secretary controls prosecutions. Being informed of the decisions and views of the new Board, he will be able to refuse to authorize a prosecution if it would transgress the agreement.

The Bill is small, but it represents a step towards a more uniform approach to censorship of obscene publications, and perhaps a sensible arrangement in Australia where the States and the Commonwealth have concurrent jurisdictions. I commend the Bill to the House.

On the motion of the Hon. A. W. Knight, for the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture), by leave, moved for leave to bring in a Bill to amend the Tobacco Leaf Marketing Board (Appointment of Manager) Act 1966 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL.

The debate (adjourned from February 28) on the motion of the Hon. L. H. S. Thompson (Minister of Housing) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—This Bill is the result of representations by members of the co-operative housing movement, who assist people by carrying out a policy which members of the Labor Party claim some credit for establishing. When explaining the Bill, the Minister of Housing said that, because of rising costs of houses and land, it was again necessary to amend section 76 of the principal Act to raise the amount by which societies could be indemnified against losses on loans.

In answer to a question I asked in this House on Tuesday, 28th February, I was informed that only three persons applying for indemnified loans had borrowed the maximum 95 per cent. of valuation. The number of loans exceeding 85 per cent. of valuation totalled 603. The total number of indemnified loans from the date of their inception, 7th November, 1962, to the present time totalled 1,113. Whatever indemnity may be granted a society, the borrower must have the ability to pay. The Registrar of Co-operative Housing Societies, Mr. Brady, like his predecessor, Mr. Ebbels, is wise in ensuring that the person whose loan is indemnified has sufficient resources to meet his payments without causing hardship to the family in the purchase of food and necessaries.

The Hon. G. W. THOM.—A person's repayments should not be in excess of 25 per cent. of his salary.

The Hon. J. M. TRIPOVICH.—That is so, and quite rightly. As the Minister of Housing will probably agree, some persons, in desperation, will agree to pay any price so long as their housing needs are met. There is a tendency for persons to commit themselves beyond their capacity to pay.

It has been found necessary to raise the advance limit in indemnity cases from $6,600 to $7,500 and from $8,000 to $8,900 because of the increase in building costs and land prices. The Federation of Co-operative Housing Societies submitted evidence to the Minister when it pleaded the case for the amendment of section 76 of the Co-operative Housing Societies Act. It pointed out that an agreement between the Master Builders' Association and the Royal Victorian Institute of Architects shows a rise on building cost adjustment alone of 18 per cent. from March, 1963, to July, 1966. It also showed that the home buyer is being forced to find an average of 33 per cent. of the total cost of land and home by way of savings and other finance. Some time ago, I pointed out that this was occurring and that, despite the fact that it was alleged that a person could obtain assistance of up to 95 per cent. of the valuation of a home, it was still necessary for that person to find up to 33 per cent. of the total cost, including the land.

I have obtained some figures from the second annual report of the Commonwealth Department of Housing, which report includes data collected by the Commonwealth Government as a result of its housing grants scheme. Of the 9,193 applications which were approved for the housing grant, 7,134 persons were able to meet their needs with a first mortgage, whilst 1,213 needed both first and second mortgages. The average amount of the second mortgage was $1,455, which is a considerable amount in view of the fact that a person must meet his normal commitments and raise a family. This fact prejudices a person's desire to have a family. Recently, in another State it was said that loans would be granted on condition that the couple concerned had no children within a certain period. I hope such a stipulation is never imposed in Victoria, because I believe a family is essential to the happiness of a home.

I am most critical of the lack of support given to co-operative housing by private lending institutions. Today, co-operative housing societies are acting merely as Government

agencies for the distribution of Government moneys. If the societies were to receive an allocation from the Home Builders' Account in proportion to the moneys they raise themselves, some co-operative housing societies would receive nothing. Private savings banks make a small contribution to co-operative housing, perhaps in view of the fact that they have been allowed to establish savings banks and to participate in the utilization of the savings of the people.

The Hon. ARCHIBALD TODD.—They have to contribute.

The Hon. J. M. TRIPOVICH.—I shall examine their contributions. In 1964, the Australia and New Zealand Savings Bank Limited contributed the sum of $500,000; in 1965, it provided no money; and in 1966 it contributed the sum of $400,000. The Bank of New South Wales Savings Bank contributed the sum of $674,000 in 1964; $450,000 in 1965; and $200,000 in 1966.

The PRESIDENT (the Hon. R. W. Mack).—Order! I do not wish to prevent Mr. Tripovich from making a point, but I remind him that this Bill deals only with the question of increasing the top limit that can be guaranteed under certain circumstances. The measure does not deal with the over-all ramifications of co-operative housing societies. If the honorable member can relate what he is now saying to the increase in the limit, he may proceed.

The Hon. J. M. TRIPOVICH.—I believe I can do so, Mr. President. This Bill is to indemnify the lending of money under section 76 of the Co-operative Housing Societies Act in order to encourage people to provide more money for use by co-operative housing societies. I am pointing out that, over the years as the limit has been raised, as a result of suggestions made to the Government by the Federation of Co-operative Housing Societies, less money has been made available by private lending institutions. If it had not been for the utilization of Government—not private—moneys, there would be very little development of co-operative housing societies.

In 1964, private lending institutions contributed the sum of $2,786,000 to co-operative housing ; in 1965, they provided $1,382,000; and in 1966 the sum of $1,450,000. I regret that this Bill will fail to encourage private lending institutions to invest more money in co-operative housing. So far as insurance companies are concerned, in 1964 their total investment in co-operative housing amounted to $590,000; in 1965, it was $700,000; and in 1966, it amounted to $200,000.

I refer to a question that I asked in this House on the 28th February in answer to which I was informed that the contribution of savings banks and insurance companies to 24 co-operative housing societies for the year 1966 amounted to $3,650,000. Of that sum, more than $2,000,000 was contributed by Government banks—the Commonwealth Bank and the State Savings Bank. From the Home Builders' Account, which is Government money, 121 societies received a total of $35,060,000.

The Hon. G. W. THOM.—That amount was spread over four years.

The Hon. J. M. TRIPOVICH.—That is so. The records show conclusively that even if the Government is prepared to indemnify loans up to 95 per cent. of the value of a home, the ordinary "battler", who desires to obtain his own home, is receiving little encouragement from private financial sources.

The Hon. L. H. S. THOMPSON.—You are comparing four years with one year.

The Hon. J. M. TRIPOVICH.—I made that qualification. As I pointed out, the sum of $2,000,000 was contributed by the Government banks, and the balance of $1,650,000 was provided by insurance companies and other private lending institutions. In 1966, the Bank of New South Wales

Savings Bank contributed $200,000 to co-operative housing; the Australia and New Zealand Savings Bank Limited contributed $400,000; the English Scottish and Australia Savings Bank Limited contributed $200,000; and the Commonwealth Banking Corporation Savings Bank Limited contributed $200,000, a total of $1,000,000. This fact demonstrates that the Government is utilizing co-operative housing societies as an instrument for accepting the responsibility and for administering moneys made available from Commonwealth circles.

It is claimed by the Federation of Co-operative Housing Societies of Victoria that this Bill has been introduced at its instigation, and I give the federation credit on that account. The federation committee has been seriously concerned for a long time over the need for higher loans because of increased building costs and a continuous spiralling of land prices. The Government, the Minister of Housing and the Premier have been forced by spiralling prices to introduce this Bill in an attempt to help those persons who desire to own their own homes. Our party commends the Bill.

The Hon. I. A. SWINBURNE.—(North-Eastern Province).—This Bill has been introduced as a result of representations which have been made from time to time with the object of closing the "deposit gap" which has been causing co-operative housing societies some difficulty because of increased building costs and land prices. Mr. Tripovich and other members have previously mentioned the problem of providing indemnities in order to obviate the necessity for people to obtain second and other mortgages at high rates of interest. There now appears to be a general feeling throughout Australia—no doubt generated by the Commonwealth Government—that only a certain amount of money should be available in any one year for housing. The Federal Government operates on a system that only so much money is to be made available from Government sources for various projects. It would appear that someone in Canberra works out some statistics of how many houses are needed for so many people, and decides that X amount of money is necessary for this purpose.

So far as housing is concerned, statistics will never be reliable. I challenge any person to go to any district and ascertain how many houses are occupied by single people such as widows, widowers and unmarried persons. I estimated a certain figure in my home town of Myrtleford, but when I made a survey I found that the number of people who lived alone was much higher than I expected. Therefore, statistics concerning the amount of money required for housing are unreliable.

I thank the Minister for the consideration he gave to the case I presented concerning the formation of co-operative housing societies on the last occasion on which a similar Bill was before this House. He took an interest in my suggestions, and he made available to me officers of the Co-operative Housing Societies' branch. As I said on a previous occasion, the Commonwealth portion of the co-operative housing society funds should be made available not to what could be called the silk department, but to people who are in need of assistance. When the Bill concerning the gas company in the province represented by Mr. Thom was presented to this House, I wondered whether there would be sufficient money left for co-operative housing societies in Geelong.

The co-operative housing society movement should not provide money for people who are quite able to avail themselves of the normal lending institutions—there should be strict supervision to ensure that only the people who really need the finance should get it. After all, the

Housing Commission provides homes only for people in a certain financial situation. The Country Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Cases in which Treasurer may indemnify societies against loss in respect of advances).

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I refer to an article published in *Your Home*, the journal of the co-operative housing societies, which stated—

> Added to the high interest on these types of finance has often been the procurement racket practised by many unscrupulous so-called financiers.

The Minister of Housing was good enough to receive my submissions and introduced amendments to make procurement illegal. I have sought further information from the co-operative housing societies on the subject, and I have been informed that procurement still applies. I ask the Minister to examine the matter, because in these circumstances procurement is really blood money in the deepest sense of the expression.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I shall be pleased to investigate the matter raised by Mr. Tripovich. Does procurement still exist in the co-operative housing societies' field, or does it now apply only in outside fields?

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—My remarks relate to fields outside the co-operative housing societies. The amendments instituted by the Minister of Housing stopped procurement in the co-operative housing societies' field.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

TULLAMARINE FREEWAY LANDS BILL.

This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

PUBLIC OFFICERS SALARIES AND ALLOWANCES BILL.

This Bill was received from the Assembly and, on the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

> That this Bill be now read a second time.

I thank the Leaders of the other parties for giving me the opportunity of introducing this Bill to-day. Last year Parliament passed emergency legislation to appoint Mr. E. I. Meeking as manager to exercise the powers and perform the duties of the Tobacco Leaf Marketing Board, pending the appointment of members of the Board. Honorable members will recall that the introduction of this legislation was necessary because the Supreme Court had granted an injunction restraining the appointment to the Board of the persons elected at a poll of producers of tobacco leaf taken on 13th April, 1966.

The injunction restraining the appointment of members of the Board is still operative, and therefore Mr. Meeking has continued to act in the capacity of manager. At this stage it is not known when the litigation which led to the granting of the injunction will be resolved.

Honorable members will appreciate that the legislation enacted in 1966 was designed to meet a critical situation which had arisen, but one which, at that time, it was expected would not be of long duration. For

that reason, no provision was made in the legislation for the appointment of a manager in the event of Mr. Meeking's services becoming unavailable, although provision was made for his services to be terminated on the filling of the vacancies in the membership of the Board or on his prior resignation or termination of appointment by the Governor in Council.

Mr. Meeking's appointment as manager has now been operative for more than ten months, and it is possible that the necessity for a manager to carry out the functions of the Board could continue for some time yet. Under the Tobacco Leaf Marketing Board (Appointment of Manager) Act as it now stands, appointment of another person to act as manager, should that become necessary, could be effected only by amending legislation. The Government is concerned that, in the present circumstances, a situation could arise that, during a Parliamentary recess, the position of manager of the Board might become vacant, and no action could be taken to appoint a successor. In that event, the Board could no longer function, and a chaotic situation would ensue, particularly in relation to the disposal of tobacco leaf. For example, the next sales of tobacco leaf in Victoria are scheduled to commence in June this year, and in the following two months it is expected that about 11,000,000 lb. of leaf valued at approximately $12,000,000 will be offered for sale.

This leaf is vested in the Board under the Marketing of Primary Products Act, and its disposal is one of the Board's primary responsibilities. If the position of manager of the Board became vacant in this period, and a successor could not be appointed, no action could be taken to dispose of the leaf, and this situation would have very serious consequences to Victorian growers and could also jeopardize the Commonwealth stabilization scheme involving growers in New South Wales and Queensland. The Government has decided, therefore, that it should take the precaution of amending the Act to meet such a contingency.

At the same time, the attention of the Government has been drawn to a difficulty which has arisen in relation to the expenses which can be paid to the manager under the existing Act. Sub-section (3) of section 2 of the Act provides that the manager shall be paid from the funds of the Board such remuneration and expenses as the Governor in Council may determine. The Crown Solicitor has given an opinion recently that in the Act "expense" is a pre-estimate of the expenditure the manager will be personally required to incur in the carrying out of his duties, and that the Governor in Council is not empowered to authorize payment of expenses which do not come within this category.

When the Act was introduced it was expected that, depending on the duration of the appointment, Mr. Meeking would incur expenses not directly connected with his duties as manager of the Board, but nevertheless occasioned by his acceptance of the assignment. It was considered at the time that the relevant provision in the Act was sufficiently wide to enable these expenses, which are in the nature of a financial disability consequent on the appointment, to be met.

For instance, Mr. Meeking is a contributor to his firm's provident fund to which the firm makes grants on behalf of the contributors. In respect of the period of his secondment to the Tobacco Leaf Marketing Board, Mr. Meeking was required to pay to the fund, in addition to his own contributions, the amount normally granted by the firm on his behalf. Moreover, circumstances have now arisen whereby, as a result of his continuance as manager of the Board, Mr. Meeking could suffer a financial disability in relation to his equity in this provident fund.

Having regard to the indefinite duration of the appointment, the Government considers it only reasonable that Mr. Meeking or, for that matter, any other manager whom it may be necessary to appoint should be compensated for any financial disability occasioned by acceptance of or continuance in the position. It has decided, therefore, to amend the Act to make provision for payments of this nature.

Clause 2 of the Bill makes provision for Mr. Meeking to be paid such amount or amounts as the Governor in Council may determine to compensate him for any financial loss he may suffer, or may have suffered by acting or continuing to act as manager of the Board.

Provision is made in clause 3 for the Governor in Council to appoint a suitable person to act as manager in the event of Mr. Meeking ceasing to be manager before the vacancies in the membership of the Board are filled. This clause also ensures that the provisions of section 2 of the Act, as amended, will, with such modifications as may be necessary, extend and apply to and with respect to any other person appointed as manager, should such an appointment become necessary.

The purpose of this Bill is to rectify deficiencies which in the light of experience have become apparent in the existing legislation. It will facilitate the continued and satisfactory management of the Board's operations until such time as the appointment of members can be effected.

I regret having to introduce this Bill, but it came to the notice of the Government that in the event of Mr. Meeking not being available to continue as manager and Parliament being in recess, the Board would be without power. So, it is important that the matter should be finalized this session. I should not like to be criticized for leaving the operations of the Board in such a state that there would be no power for anyone to act if, for any reason, Mr. Meeking retired as manager.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—From time to time certain Bills which should be passed expeditiously come before this House, and this is such a measure. Therefore, I propose to continue the debate now. The Labor Party supports the policy of orderly marketing, and in regard to the tobacco leaf industry this policy ensures that the growers of tobacco leaf receive a fair price for their product.

The Minister is to be commended for foreseeing what could happen if Mr. Meeking were not available to continue as manager of the Board. He is one of the most knowledgeable persons on tobacco leaf marketing in this State, and the Government was indeed fortunate to obtain his services as manager of the Board. If circumstances arose to cause his resignation from the position, the orderly marketing of tobacco leaf would be placed in jeopardy.

Members of our party will make every effort to assist the Government to obviate the possibility envisaged. Therefore, we support the Bill.

We also commend the provisions of clause 2, which will make it possible for Mr. Meeking or any subsequent manager to be compensated for out-of-pocket expenses such as those he is required to meet in regard to the provident fund to which he is a contributor. Clause 3 of the Bill provides for the position of manager to be filled not only by Mr. Meeking but also by some other person should Mr. Meeking not be available.

When the Tobacco Leaf Marketing Board was established, we had high hopes that it would function smoothly and that members of the Board would be elected to administer the industry. However, the politics of the industry intruded and the result was a court injunction. The

Government is mixed up in this dispute, but I do not propose to debate that aspect. We support the Bill.

The Hon. I. A. SWINBURNE (North-Eastern Province).—I thank the Minister for bringing forward this Bill, the purpose of which is to safeguard the tobacco leaf industry. The present position has arisen because of difficulties encountered at the start of the last selling season for tobacco leaf. A court injunction was obtained against the elected members of the Board to prevent them from carrying out their functions, and it was necessary for Parliament to pass a special Bill to appoint Mr. Meeking as manager of the Board. At the time, it was thought that such an appointment would be only of short duration and that all difficulties would be resolved. Unfortunately, once one becomes involved in the legal field, progress is slow, and the matter has not yet been resolved.

In reply to a question last week, the Minister indicated that all necessary actions had been taken up to a certain point, and until they are finalized no further progress can be made. The Minister's attention was then directed to the fact that if Mr. Meeking was not available to carry out the duties of manager, there would be no power for the Board to function. These duties of the Board are most onerous during the selling season, which starts in June and finishes in September. A considerable amount of tobacco leaf will be available for sale in Victoria this year and the interests of the growers should be protected. I commend the Minister for the prompt action he has taken in endeavouring to have this matter clarified so that in the event of the present manager, Mr. Meeking, not being available, it will be possible for some other person to be appointed to carry on pending the determination of the court injunction.

I trust that the Government will use every available means to ensure that the court injunction is dealt with as early as possible. The Minister and I have discussed this matter on many occasions, but I do not think either of us is able to take many tricks in relation to the legal aspect.

The growers have expressed strong views on this matter; they consider that the sooner there can be representation in accordance with the provisions of the Act the better it will be for the industry. I hope that this issue will be determined as quickly as possible and that the Minister will be enabled either to appoint to the Board the persons who were selected at the election or to proceed to the holding of another election. In the meantime, the Minister has taken the proper course of bringing in this Bill. Members of the Country Party support it strongly because it will maintain the *status quo* until the matter is resolved.

I support the proposed amendment which safeguards the rights of the present manager, or of any future occupant of the position, in relation to superannuation and which provides for the payment of compensation for any financial disability that he may suffer by acting as manager. Mr. Meeking has a duty to himself and to his family to protect his rights. The growers, not the Government, will foot the bill, and I think they will readily agree that it is a proper charge against the industry.

For the reasons stated, members of the Country Party support the measure and wish it a speedy passage, so that in the case of unforeseen events arising those engaged in the industry, of whom I am one, will be protected. I have always tried to ensure that the interests of the growers are safeguarded, and I give the Minister full credit for promptly bringing in this Bill.

The Hon. A. J. HUNT (South-Eastern Province).—When the Bill which became the principal Act was passed ten months ago, all honorable members expected that it would be a very temporary measure. It has

not proved to be so. The fact that another Bill dealing with the same subject is now before the House directs attention to the fact that a similar situation could arise with respect to a marketing Board of any description, not merely that relating to the tobacco industry. If such a situation arose when Parliament was not in session, the growers governed by any orderly marketing Board could be faced with confusion. Therefore, we need to ascertain whether general legislation is necessary to provide for situations such as that which has arisen in the case of the Tobacco Leaf Marketing Board.

The Hon. I. A. SWINBURNE.—Certain power exists in the principal Act.

The Hon. A. J. HUNT.—Yes, but it is inadequate. The circumstances that have arisen make us doubt whether the processes of litigation are ideal for dealing with cases of disputed elections. I do not want to refer to the present case, because it is *sub judice*, but it is obvious that when a disgruntled grower obtains a temporary injunction he has obtained what he has sought and he no longer has any real interest in seeing the case to a conclusion. Situations can arise, as in the present case, where there is a delay of many months—or even years—before the matter is determined, and in that event the wishes of the growers can be frustrated.

The Hon. I. A. SWINBURNE.—It can be a case of one man against the whole industry.

The Hon. A. J. HUNT.—This position can arise if court procedures are exploited by somebody whose main objective is delay. In view of these considerations, I invite the Minister of Agriculture to consider this question as related to primary industry as a whole and not merely to the tobacco industry.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 7382, section 2).

The Hon. G. L. CHANDLER (Minister of Agriculture).—I thank Mr. Tripovich and Mr. Swinburne for their contributions to the debate and Mr. Hunt for the point he has raised. The attitude taken by Mr. Tripovich and Mr. Swinburne on behalf of the Labor Party and the Country Party respectively is evidence of co-operation between members in putting through a measure which, it is evident to all of us, is vitally necessary in the interests of the tobacco industry.

Unfortunately, for a considerable period of time, this industry has been in upheaval. I am sure Mr. Swinburne will agree that, no matter from which angle the industry is viewed, there are difficulties; as a result of court processes and other actions, one is continually learning. The matter which has prompted the introduction of this Bill is before the court, and no action outside the court can be taken to enable it to be expedited.

The Government is grateful to the company which seconded Mr. Meeking to this appointment for the attitude it has adopted since this trouble has developed. The company has allowed him to remain manager of the Tobacco Leaf Marketing Board and at the same time to retain his position within the company, but one does not know how long it will be possible for that situation to continue.

Mr. Swinburne and Mr. Bradbury —Mr. Swinburne in particular—have co-operated with me in the many and varied problems that have arisen. With the multiplicity of writs that have been issued, the prospects for the future are rather obscure.

I do not know whether the point raised by Mr. Hunt is covered by the principal Act. In 1952, when trouble arose in the poultry industry,

Mr. Moss was Minister of Agriculture, and I think the Egg and Egg Pulp Marketing Board was sacked and a manager was installed. I do not know whether that action was taken as a result of the passing of a Bill or whether the necessary power already existed in the Act.

The Hon. A. J. HUNT.—The Act contains certain power, but it is inadequate to meet the situation which has now arisen.

The Hon. G. L. CHANDLER.—I agree. The Act does not contain a provision capable of meeting a situation in which the validity of an election is questioned, a court injunction is taken out, and the Minister is restrained from appointing persons chosen to represent the industry pursuant to the election. I shall have the matter examined. Meanwhile, I thank honorable members for their co-operation in this important matter.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House without amendment, and passed through its remaining stages.

SUPREME AND COUNTY COURTS (SITTINGS) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—From time to time, many Bills of a non-controversial nature—Bills that do not cause any division of opinion among the various political parties—come before the House, and this measure comes within that category. It is also part of the legislative programme that, from time to time, Bills are necessary because of some doubt that has been raised by a legal authority concerning a principle relating to the power of the Executive to act in a certain manner. Here again, this Bill will resolve a doubt that has arisen. Because the old court-house at Horsham has become dilapidated and is being demolished to make way for a new and up-to-date building, it has become necessary to transfer the sittings of the court at Horsham to Ararat, which is not far distant.

Sittings of the Supreme Court are authorized at Horsham but, unfortunately, Ararat is not one of the places mentioned in the Second Schedule to the Supreme Court Act 1958 as being a place at which Supreme Court sittings may be held. Just as a certain person has sought an injunction relating to the Tobacco Leaf Marketing Board, it was felt that some smart legal advocate could have the Supreme Court sittings at Ararat declared invalid because they had not been held at a place which was listed in the schedule concerned.

Sections 50 and 51 of the existing Supreme Court Act are somewhat small, and it is proposed to replace them with two longer sections, which will vest in the Governor in Council all the powers that are needed to enable the Governor in Council from time to time to appoint various places for sittings of the Supreme Court and, if necessary, to return the sittings of that court to some town in which they have been discontinued because of circumstances similar to those which exist at Horsham which necessitate the present court-house being replaced. The Bill also deals similarly with sittings of the County Court. It will remove the doubts which have arisen and empower the Governor in Council, or whoever is acting on his behalf, to do what is necessary in regard to sittings of that court.

It may be appropriate during the debate on this Bill to emphasize that from time to time members of the Labor Party become concerned at the number of cases awaiting hearing, before both the Supreme Court and the County Court. Although additional Judges have been appoined

periodically, they do not seem to be able to reduce the list of court cases awaiting hearing. I hope that some plan will be forthcoming in the near future which will enable litigants to have speedier access to the courts and that our courts will become more efficient in dispensing justice to those who seek it. My party finds no fault with the measure. Its purpose is to remove certain doubts that have arisen and, because we do not wish to be controversial in the matter, we support the Bill.

The Hon. M. A. CLARKE (Northern Province).—This Bill proposes amendments the Supreme Court Act, the Justices Act, and the County Court Act. I suppose it could be said that the measure will bring the existing legislation and procedure up to date. For many years, the privilege or the right of holding a court in a certain town or city has been eagerly sought and jealously guarded. Honorable members should closely examine this measure to ensure that it will achieve what the Government intends it to achieve. The Country Party has carefully examined the Bill. I should like to commend the Minister for Local Government for the excellent second-reading explanatory notes that he supplied to members and his good explanation of the measure.

It may appear that this Bill, which deals with the removal from and return to Horsham of court sittings, is somewhat complicated but, because of the explanation given by the Minister, honorable members have been able to follow it quite clearly. The reason for the Bill is that sittings of the Supreme Court will be temporarily transferred from Horsham to Ararat, because the court-house at Horsham is being demolished and rebuilt. Later, the sittings of the court will be resumed at Horsham. This Bill incorporates a principle to which Mr. Hunt has recently referred; it applies a general principle to a particuar case so that, in future, when a situation of the type with which the Bill deals arises elsewhere, further amending legislation will not be necessary.

The Country Party commends the Government for the introduction of this Bill. I agree with Mr. Todd that it is not a contentious measure. It will make the machinery of the law simpler and more effective and, consequently, our party wishes the Bill a speedy passage.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

The sitting was suspended at 6.25 *p.m. until* 7.47 *p.m.*

STAMPS (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), was read a first time.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That the Bill be printed and, by leave, the second reading be made an Order of the Day for later this day.

The Hon. J. W. GALBALLY (Melbourne North Province).—Leave is refused.

It was ordered that the Bill be printed and the second reading made an Order of the Day for the next day of meeting.

LOCAL GOVERNMENT (AMENDMENT) BILL.

The debate (adjourned from February 21) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—This is a Bill to amend the Local Government Act 1965 and for other purposes, whatever they may be. It is the sixteenth Bill to be introduced to amend the Local Government Act since 1958. The Government continues to roll out amendments to the Local Government Act just like strings of sausages. The amendments proposed by this Bill are slightly less important

than those contained in the Bill presented last year, which dealt with an important public matter. This Bill deals with other issues, which might be of no less importance to those affected but are not so vitally important to the general public.

As the Minister for Local Government said in his second-reading speech, the Bill naturally deals with the disconnected topics that are part and parcel of the Local Government Act. Therefore, in order properly to address oneself to the measure, it is necessary to deal with each clause separately. The first amendment, which is contained in clause 3, will bring into line with The Constitution Act Amendment Act the provisions relating to advertisements and other types of municipal electoral matter. Except for one or two small qualifications, the Labor Party offers no objection to the clause. Paragraph (*a*) of proposed new sub-section (5) of section 151 of the principal Act, as contained in clause 3, prohibits the placing of any electoral advertisement " on any property belonging to the Crown or to any public statutory authority or on any structure on any public highway ". It is well known that the Melbourne and Metropolitan Tramways Board and the Railway Department are two public bodies which accept advertisements from the public. Are these authorities to be debarred from accepting advertisements, if necessary, from a candidate in a municipal election in advocacy of his claims for public recognition, when they are not so debarred in respect of other persons?

A somewhat finer point is that municipalities do allow the erection of structures on public highways. Any member who is familiar with the roundabout at Essendon will know the large advertising sign advocating the use of a certain oil company's products. It is quite common for structures to be permitted on public highways, and, in some cases, they are let out to advertising companies under a leasing arrangement. This provision will debar a candidate from taking advantage of the facilities that are extended to private undertakings seeking to canvass their wares. If the words " without consent " were added, the sub-section may mean what it was intended to mean.

Paragraph (*b*) of the proposed new sub-section provides that no electoral advertisement may be placed—

> On any house or building or any wall, fence, lamp-post or gate without the consent of the occupier or without the consent of the owner if there is no person in actual occupation thereof.

The provision does not cover trees on the land, which means that a candidate can place a notice on a tree on the property without being liable to the penalties attaching to offences under the proposed sub-section. It also appears that he can erect a sign on the property without the consent of the owner, provided that he is not caught. In the case of vacant land, a candidate has more opportunity of placing a sign thereon, and even if he does it without consent, no penalty attaches.

There may be some justification for prohibiting persons from sneaking on to enclosed private property and putting up signs, perhaps to the detriment of the front garden or any other improvements. I would not attach much importance to vacant land because years ago there was a common practice at election times of " snatching the sites ". Of course, one took the risk that the land owner might come along and pull down the sign. To my mind, there is nothing criminal in placing a sign on a vacant block of land. These distinctions are not covered in the proposed sub-section.

The new provisions relating to long service leave generally contained in clause 4 will bring the entitlement of municipal staffs into line with the position applying in the State Public Service. So far as employees of

municipalities are concerned, no doubt it is intended to put this matter on a more satisfactory basis, and my party offers no objection to the proposed change. However, one or two queries can be raised. Reference is made to the termination of an employee's services. Obviously, the new provision does not overcome all the disabilities in the Local Government Act. If a council seeks to terminate an employee's services, provision is made whereby he shall be paid four years' salary if his services are dispensed with without the consent of a court of inquiry.

When the services of an employee are dispensed with, the council must show justification for its action. If an employee has served a council for fifteen years and has not been guilty of any offence during that time, he is entitled to four and a half months long service leave. It seems to be making the penalty retrospective to deprive him of his long service leave if he is dismissed, even for some just cause. It seems to me that in such a case the remedy is to impose a penalty under some other provision—not to take away long service leave to which he was automatically entitled prior to the offence or cause of dismissal. After all, if the employee and the municipalities had been agreeable, the employee would already have taken his long service leave.

I am not satisfied that the position regarding long service leave is fair. If there is a legitimate charge against a man, it should be dealt with under other provisions. In the case of an ordinary day employee, the penalty could run into $900 or $1,000, which is a formidable penalty for a misdemeanour, minor or otherwise. I cannot reconcile the Government providing protection in the form of four years' salary, on the one hand, and, on the other hand, taking away an entitlement of four and a half months long service leave.

Another point is that the State Superannuation Act covers people who may transfer from the Public Service, the Teaching Service or the Police Force to other spheres of public service. Quite often an officer from the Public Service is appointed to a board, and his superannuation rights are specifically protected. No one objects to that, because it is quite proper. However, if a municipal employee leaves the service of a council, although it is to go to the adjoining municipality and continue to render public service, he loses all his accrued rights. This affects particularly members of the clerical, administrative and engineering staffs. Once a man has become qualified as a building inspector, building surveyor, valuer, town clerk or engineer, naturally he moves from one municipality to another to gain promotion.

The Hon. ARCHIBALD TODD.—It is for his own benefit.

The Hon. SAMUEL MERRIFIELD. —That is so, but it is part and parcel of municipal life. It seems harsh to me that a man who has spent fourteen and a half years with one municipality should lose the benefit of that service if he moves to another municipality. The Minister indicated that the matter had been presented to the Municipal Association, which declined to enter into any scheme of that nature. However, this does not absolve the Government from its responsibility. Parliament enacts the legislation and the Government, in the main, initiates it. It is the Government which has the onus of initiating a fair scheme to protect the rights of people who move from one municipality to another. I hope the Minister will take the matter further and not be daunted by the Municipal Association, powerful as that body may be. There are one or two contradictions in the Bill, which I shall mention at the Committee stage.

Sub-section (4) of proposed new section 167A provides that long service leave shall be taken by a municipal employee at a time agreed upon by the council and himself. Of course, a council and employee may

never agree on this matter. I can only assume that in that event section 156 of the Labour and Industry Act would be applied, thus giving the employee the right of appeal to the Industrial Appeals Board. After all, the provision applies to the Crown and everyone else.

I have little comment to offer on clause 5, which relates to contributions to youth clubs or organizations. The Government has given considerable support to these bodies in recent years, and the new provision will enable municipalities to enter this field if they desire to do so. No one would deny the importance of establishing youth organizations, particularly as in these days leisure is the greatest turmoil of youth. Society's greatest worry is to ensure that the activities of youth in its leisure time is regulated to its own good.

I have no particular comments to make on supplementary valuations. I note that the proposed provision is the one to which the New South Wales Board of Inquiry into valuations gave a good deal of consideration. It dealt with the effect on valuations of Acts, proclamations and orders, particularly in respect of town planning schemes, and perhaps the zoning by-laws of a municipality. My party offers no objection to the proposal.

Clause 7 relates to a separate rate affecting two municipalities in relation to common works. Paragraph (*a*) of sub-section (2) of proposed new section 293A provides that it shall be lawful for any agreement between municipalities to provide that—

> Each council shall undertake to make and levy a rate at an agreed amount in the dollar in the relevant portion of its municipal district.

A question arises: What happens if one area is greatly improved in the meantime? One area might already have been built up whereas the other may be relatively unimproved. In the initial years, the rate in the unimproved area may be higher but there may be gradual improvement. In the case of the municipality operating on net annual valuation the amount would vary considerably in the course of years. It would require a Solomon to decide on the improvements that had taken place and to determine a fair apportionment from the initiation of the scheme until some future date when the capital amount was paid off. The paragraph seems to contain some weakness. It might be wise to provide an escape provision for readjustment, with the consent of the Minister.

Clause 8 deals with special rates for certain classes of works. This arose out of the case that occurred in the Shire of Knox. The Melbourne and Metropolitan Board of Works sought to force onto the shire a requirement for the water rate to be on the net annual valuation whereas the shire desired to impose it on unimproved values. On the one hand, it was stated that the original agreement between the Board and municipality provided for the rate to be levied on the net annual valuation. Apparently, the subsequent adoption of unimproved rating in the shire was submitted as justification for the shire seeking to impose the water rate on the unimproved basis, Obviously, the Minister has had some worries concerning this, and is now, in effect, making it possible for the municipality to adopt the system of its choice.

There is a good deal of logic in this proposal. I am inclined to think that when a system has been adopted by the ratepayers, the council should honour the ratepayers' will and not necessarily be free to indulge its own wishes in that regard. As honorable members are aware, quite a number of councils opposed rating on the unimproved valuation system officially, but their ratepayers, by poll, forced them to adopt this system. I admit that there are arguments both ways. My party has decided not to oppose the clause, but I am not completely happy that it will work out justly in all cases.

Clause 9 deals with travelling cattle. I take it that the words "market or some other appointed place" appearing in proposed new sub-section (2c) of section 546 of the principal Act refer to the place specified in the licence to travel through the municipality. Presumably, a market is a public place. I am not clear what "some other appointed place" means. Perhaps it is intended to cover the case of cattle driven from one private property to another.

Clause 11 deals with alpine resorts. The central highlands and the north-eastern highlands would be the areas most affected, and the Lands Department and the Forests Department would be the Departments most concerned. I do not know of any snow area within the Melbourne and Metropolitan Board of Works catchments; there may be snow in the catchments at times, but not regularly enough to warrant their being classified as alpine resorts. The proposed new section 851c provides—

> A person shall not be liable to pay any rate to the municipality under this Act in respect of rateable property within the alpine resort in relation to any period during which an agreement entered into under section 851B is in force.

Proposed new section 851B provides for the authority to pay the cost of carrying out works and providing services in alpine resorts. I cannot understand why, under the terms of the proposed new section 851c, a person normally liable to be rated is to be relieved of paying his share towards the cost of services. If an authority provides services, his rates should be applied as a repayment to that authority. The Minister for Local Government should give some further explanation of this matter.

The Minister was good enough to provide me with a copy of his proposed amendments but, as they have not been circulated, I shall not comment on them now. I shall have something to say about long service leave at the appropriate time. With the reservations I have outlined, my party offers no opposition to the Bill.

The Hon. A. R. MANSELL (North-Western Province).—The Country Party supports this Bill as it supports any measure which assists municipal authorities to provide facilities for the public. As he does with all Bills on which he speaks, Mr. Merrifield made a thorough and conscientious examination of the contents of this measure. When one follows him in debate, one must repeat what he says or disagree with him. When I disagree with him, it is because of my different political affiliation, but we are all concerned with the good of the people. I compliment Mr. Merrifield on the way he has analyzed this Bill. As a municipal councillor, I also appreciate the way the Minister continues to bring forward progressive amendments to the Local Government Act.

I support the provisions contained in clause 3, but I agree with Mr. Merrifield that the latter part of the provision could be better worded. The necessity for the provisions in clause 3 has arisen because of the modern trend for political parties to take part in local government. This practice has been common in the city for a long time and it is now creeping into country areas.

The Hon. W. R. GARRETT.—It is a great pity.

The Hon. A. R. MANSELL.—I agree. In many cases, the electors oppose the trend, and the fact that a candidate represents a political party causes him to lose votes. I have been a municipal councillor for about 22 years, and, without being egotistical, I can say that I have always polled well at municipal elections. Now that political parties are to take part in municipal elections, I feel that if I had been standing for the first time I would not have been successful at the past two elections. Men I would have liked to see elected to councils have been defeated because they represented political parties—people would not vote for them. I welcome the fact

that the provisions of clause 3 will mean that many of the practices outlined in the clause will be checked.

I disagree with what Mr. Merrifield said about signs on highways. They are not seen in country areas. Ansett has a very large sign on one of the highways in Mr. Merrifield's province but, if it was on a country road, it would be pulled down. The Country Roads Board would not allow a sign welcoming people to Mildura to be erected on the Calder Highway, nor would it permit the erection of a sign measuring 8 feet by 4 feet, giving directions how to proceed to the next town. There is no chance of a hoarding being allowed to remain on a Country Roads Board road. I know of a municipality having to pull down a sign relating to a community hotel and re-erect it some distance back from the boundary line of the road.

The Country Party supports the provisions in paragraphs (*a*) and (*b*) of the proposed sub-section (4) of section 151 of the principal Act which provide that printed electoral material must bear the name and address of the person authorizing the material and the printer.

It is regrettable that the municipalities cannot agree to a long service leave scheme to cover all employees. The municipal council of which I am a member has had a long service scheme for some time and, when the State Electricity Commission took over the electricity undertaking, the council specified that the staff should not lose any benefits such as long service leave, holiday leave or accrued sick leave. The State Electricity Commission raised no objections and accepted its responsibility. The purchase price of the electrical undertaking was adjusted to allow for the obligations to the men being accepted by the State Electricity Commission.

Municipal councils have for a considerable period been providing facilities for youth clubs. For at least 22 years, the Mildura City Council has provided such facilities from its charity vote, and organizations have been allowed to erect buildings on municipal land.

The Hon. D. G. ELLIOT.—Do you have a two-for-one subsidy?

The Hon. A. R. MANSELL.—We do, but the organizations receive something better, because facilities are erected on council property. All Governments have assisted councils to make these facilities available; it is not regarded as a political matter. I commend the responsible Ministers in all past Governments for what they have done in this respect over the years. Municipalities could do more than they do at present. Some municipalities provide football ovals, but how many have provided eight or nine ovals for cricket, including two with turf wickets, and three football ovals, as well as helping to build rowing club establishments, and basketball stadiums? Facilities to that extent have been provided by the Shire of Mildura and the City of Mildura. Such help is not given in the metropolitan area.

The provision of facilities for recreation for young people helps to lessen the delinquency problem. If boys have been playing basketball, they do not run all over the place, knock over signs, and pull out trees, nor do they chase people down the street and kick them to death. They are tired, and they want to go home and get to bed. Clause 7 will be of great value in allowing adjoining municipalities to provide amenities and facilities such as youth clubs, kindergartens and the like.

Cattle on roads have always caused problems. What is the answer to the problem of cattle being taken from a dairy to a feeding place? In progressive areas today, no fences are erected. It may be thought that I am praising my own area but, around Mildura, orange trees are planted along the road where there are no fences.

In many places, people in cars are able to pick the oranges. Pumpkins and tomatoes grow along the road for hundreds of yards. A problem arises when somebody takes a dozen cows along the road to a paddock. In fact, on the road, they are in a long paddock. The provisions in the Bill will help overcome the problem.

Clause 10 relates to maternity and child welfare centres. It is only a matter of substituting the word " or " for the word " and ", to clear up any doubt which may exist about the effect of the principal Act. The Country Party supports the provisions relating to alpine resorts and, all in all, it supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6299) section 1.

The Hon. R. J. HAMER (Minister for Local Government).—As this is essentially a Committee Bill, I propose to reserve my comments on matters raised in the second-reading debate until the appropriate clauses are reached. I thank Mr. Merrifield and Mr. Mansell for their meticulous examination of this measure. Mildura should not be regarded as absolutely typical of all municipalities because, in many ways, it is outstanding. I should like to think that all municipalities provided the same kind of amenities that are provided in Mildura, which is in many ways a model of what a community should be, especially in relation to youth activities.

The clause was agreed to.

Clause 3 (When electoral advertisements &c. are prohibited).

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Merrifield directed attention to proposed new sub-section (5) of section 151 of the principal Act. This provision relates to the placing of electoral matter on property belonging to the Crown or public statutory authorities, or structures on public highways, and on private property. He implied that there should be some words about consent in the case of public authorities and public structures.

From my reading of the proposed new sub-section, I do not think that is required. If a public authority accepted an advertisement and posted it, say, in a tram, it could not be said that this provision was infringed, because it carries an implication that it applies to the person concerned who posts his own electoral matter or that it is being done on his behalf. I shall have this point examined, but I read it as not covering the case where a public authority accepts an advertisement and posts it for payment.

The Hon. SAMUEL MERRIFIELD.—It is operated by the returning officer for an election of councillors. As soon as he makes a declaration about the election, the penalty comes into effect.

The Hon. R. J. HAMER.—I can only say that this provision follows the wording of The Constitution Act Amendment Act and, so far as I am aware, it has not given rise to any problems of this kind. There is some virtue in making the two provisions uniform so that everyone will be aware that, whether it is a municipal, State or Federal election, the same kind of obligation and restriction applies.

The Hon. SAMUEL MERRIFIELD.—If a public authority chooses to accept advertisements, so that in effect it gives consent, it should not be liable.

The Hon. R. J. HAMER.—I agree, but I do not know of any instances where this has happened. If any alteration is proposed, it should be made also to The Constitution Act Amendment Act.

The Hon. D. G. ELLIOT.—Members of all parties frequently use railway station hoardings to direct attention to local branches and to election material.

The Hon. R. J. HAMER.—This relates to written advertisements. I suggest that we should not amend this Bill, thereby making it different from The Constitution Act Amendment Act when the whole idea is to bring them into line.

The Hon. A. R. MANSELL (North-Western Province).—I take it that this point is already covered in proposed new sub-section (4) of section 151, as contained in clause 3. A person is entitled to act in the manner proposed provided that the material is not detrimental or misleading and contains the name of the authorized person.

The Hon. R. J. HAMER (Minister for Local Government).—I do not think that is correct. This is a separate prohibition against the posting of electoral matter in the places mentioned.

The Hon. G. J. O'CONNELL.—What about street seats?

The Hon. R. J. HAMER.—A street seat would be a structure on a public highway. I shall have this point examined with a view to ascertaining whether this kind of publicity, which is given with full approval from the person or authority concerned, is covered. As I read it, it would not be, but if it is, The Constitution Act Amendment Act should be amended also.

The same comment applies to paragraph (*b*) of proposed new sub-section (5) which relates to electoral matter posted on any house, building, wall, fence, lamp-post or gate without the consent of the occupier. I think Mr. Merrifield would like to add the word, "tree" or perhaps "bush."

The Hon. I. A. SWINBURNE.—In an enclosed area.

The Hon. SAMUEL MERRIFIELD.—I said, "land" too.

The Hon. R. J. HAMER.—Here again, this provision is taken from The Constitution Act Amendment Act. Now that attention has been directed to it, I shall have this point examined also.

The Hon. SAMUEL MERRIFIELD.—I ask the Minister not to go to extremes but to make the provision apply to enclosed land.

The Hon. R. J. HAMER.—I shall bear that suggestion in mind.

The Hon. A. R. MANSELL.—Paragraph (*a*) of proposed sub-section (5) refers to a "public highway." What is the position of main roads, unclassified roads, and so on?

The Hon. R. J. HAMER.—In this context, "public highway" covers everything except a private street; it is a road which is open to the public. It would include State highways, main roads, and unclassified roads—everything that the public has a right to use—and would exclude private streets. It is a wide context, as I think I interjected during the second-reading debate.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—Mr. Mansell referred to an instruction to remove a sign at Mildura. This is done by the Country Roads Board under the powers of its Act and embraces roads classified under that Act. This provision will be a power in the Local Government Act affecting municipal election advertising and will give power to municipal returning officers to deal with offences upon roads normally within their jurisdiction.

The clause was agreed to.

Clause 4, providing, *inter alia*—

(1) After section 167 of the principal Act there shall be inserted the following section:—

167A. (1) In this section unless inconsistent with the context or subject-matter—

. . . . . .

(11) In this section unless the contrary intention appears "Regulations" means regulations made by the Governor in Council for or with respect to carrying out the objects and purposes of this section.'

(2) In section 1 of the principal Act in the portion of the Table relating to Part V. for the expression "Division 1.—Officers appointed by the Council, ss. 158–167"

there shall be substituted the expression "Division 1.—Officers appointed by the Council, ss. 158–167A".

The Hon. R. J. HAMER (Minister for Local Government).—I propose to move an amendment to this clause; it is really an addition and results from the circumstance that this clause was proposed to bring municipal employees into line with the Public Service so far as their entitlement to long service leave is concerned. The relevant provisions of the Public Officers Act are incorporated in the proposed new section. In a frustrating way, however, it has now been decided to amend the relevant provisions of the Public Officers Act to make additional provision in two circumstances. They are covered in a Bill which is now before Parliament. Therefore, to be consistent, the same provision should be made in this Bill. The purpose of the amendment which I propose to move is to adopt the new provisions which are proposed to be inserted in the Public Officers Act.

The Hon. ARCHIBALD TODD.—Why not go the whole way and provide the same benefit to all workers in Victoria, instead of to a selected few?

The Hon. R. J. HAMER.—They are additional benefits, I am glad to say. The proposed new section will enable councils to grant pay in lieu of long service leave in certain circumstances. First, in the case of an employee who has not less than fifteen years' service and who has been dismissed or has resigned or who, for any reason other than age or ill health, has his service terminated—this covers part of what Mr. Merrifield referred to—the council will be entitled to grant payment in lieu of long service leave on a suitable basis.

The Hon. ARCHIBALD TODD.—*Pro rata*?

The Hon. R. J. HAMER.—Yes.

The Hon. SAMUEL MERRIFIELD.—Or perhaps less.

The Hon. R. J. HAMER.—It may be less; it cannot be more. I should think in the normal case it would be *pro rata*. The second case is that of an employee who has between ten and fifteen years' service. If such an employee resigns, the council may pay him some amount in lieu of the amount of long service leave appropriate to his service. Those are two extensions that are being granted to members of the Public Service, and the same extensions are proposed in this new section.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—Without having had the opportunity of considering the proposed new section, I understand that a municipal employee who has had a period of service of between ten and fifteen years and who resigns from the service of the council will, in certain circumstances, be paid in respect of a proportion of the long service leave due to him. In bringing this Act into line with other legislation, care must be taken not to encourage an employee, who has certain leave credits due to him, to utilize the proposed provisions in order to relieve his economic position. As Mr. Merrifield pointed out earlier, some provision should be made to allow a municipal employee to go from one municipality to another and reserve his long service leave rights. I suggest that the position should be examined carefully.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That, in sub-section (11) of proposed new section 167A of the principal Act, the expression "section.'" be omitted with the view of inserting the expression—

"section.

(12) The provisions of this section shall extend and apply to the City of Geelong.

167B. (1) Notwithstanding anything in section 167A where a municipal employee within the meaning of that section with not less than fifteen completed years of service resigns or is dismissed or for any reason other than age or ill health has his services terminated, the council on the

written application of the municipal employee may, in lieu of long service leave with pay, grant the payment to the municipal employee of a sum determined by the council, which shall not in any case exceed a sum equal to that of one-fifteenth of four and a half months' pay for every completed year of service:

Provided that no such payment shall be granted for any year of service or part thereof in respect of which long service leave with pay or pay in lieu thereof has been taken by the municipal employee.

(2) Where a municipal employee who resigns after not less than ten but less than fifteen completed years of service satisfies the council that his resignation is justified by domestic or other pressing necessity the council, notwithstanding that he is not entitled to long service leave under this Act, may upon the written application of the municipal employee grant payment to such employee of a sum determined by the council, which shall not in any case exceed a sum equal to that of one-fifteenth of four and a half months' pay for each completed year of service.

(3) The council shall take into consideration the conduct of the municipal employee when determining—

(*a*) whether to grant such payment under this section; and

(*b*) where such payment is granted, the sum to be so paid.

(4) The provisions of this section shall extend and apply to the City of Geelong.'"

I have previously explained the purpose of this amendment. As I understand it, it proceeds on the basis that once an employee has achieved fifteen completed years of service, certain long service leave benefits are almost automatic—not precisely automatic, but at least they can be regarded as an established right. For service between ten and fifteen years he has a kind of uncompleted right, but at least it is some right to be considered if he leaves the employment of the council.

This does not go so far as allowing free transfer of municipal employees between councils. I indicated in the second-reading debate that this proposal had been discussed at some length by the Municipal Association of Victoria, but that it had not yet formulated a scheme which would make this feasible. It will be a difficult scheme to achieve. It would require a central fund to which every council would have to contribute, as an employee left its employment, an amount for long service leave in proportion to what he might ultimately have been entitled to.

Such a scheme would involve a departure from the principle that the employer—in this case the council—is empowered to reward employees for long service, but is also entitled to look for that kind of service. I can understand why some councils would be fairly cautious about grouping all the municipal services of the State, which employ thousands of people, as one employer. It would increase their potential for long service leave liability by quite large amounts. Some councils believe it would lead to large transfers of employees seeking to better themselves, and it might adversely affect some country municipalities.

The Hon. D. G. ELLIOT.—Some councils provide better conditions for their employees than others.

The Hon. R. J. HAMER.—That is so. Councils are anxious about allowing free transfers which could cause damage to their administration. I hope a suitable scheme can be worked out. The present proposal is a step which the municipal employees will appreciate.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I am puzzled at the drafting of the amendment which appears to omit the word "section" and reinsert the same word.

The amendment provides a new section 167B; but the circulated amendment indicates that the subsection (12) appearing above the new section 167B relates to section 167A. There has already been a verbal amendment to the second line of sub-clause (1) of clause 4, altering the word "section" to "sections." Something appears to be wrong with the drafting.

The purpose of the Bill is to widen the provisions under which employees may obtain long service leave or its equivalent. These provisions have not been extended to the Labour and Industry Act. Therefore, I hope that, whilst I cannot suggest an amendment to that Act in any discussion on the Local Government Act, the Government will consider sponsoring amendments to the Labour and Industry Act accordingly. It is true that proposed section 167B will liberalize the long service leave provisions and will provide new conditions in municipal employment.

I was a member of the Labor Government that brought down the long service leave legislation. At that time, representations were made to make long service leave available under all sorts of conditions. The Government took the view that this leave should be taken when it was earned, and it would therefore have a real meaning—a person could have a rest to enable him to recover physically or mentally. It was not intended that long service leave should be deferred in order that the employee could take a lump sum payment.

I know of one public officer—he is a tremendously public spirited person —who has had 44 years' service, and whose long service leave has been postponed because his services are still required. Long service leave was meant to be taken when it became due, and there should be no payment in lieu thereof as a general alternative. The Government of which I was a member also provided that a person could not take other employment during the currency of his long service leave.

Proposed new section 167B provides that a council may grant a sum in lieu of long service leave—it could be 5 cents. I believe in the concept that, after fifteen years' service with an employer, a person should be given long service leave. If a person commits some sin after he has served that period of employment, the matter should be dealt with in its proper perspective and he should not be penalized. If the misdemeanour or crime were not discovered for some time afterwards, the employee should not be dismissed retrospectively.

I offer no criticism of sub-section (2) of proposed new section 167B, except that it is optional for the council to make a payment lower than the full amount applicable in respect of fifteen years' service. After ten years' service, a person could be considered to be a permanent employee and the provision should be made a little more liberal.

The Hon. R. J. HAMER (Minister for Local Government).—The form and intent of the amendment is to leave out the last word—section'—of sub-section (11) and to put it in again without the inverted comma, plus new sub-section (12) of proposed section 167A, and plus the proposed new section 167B. It is the one insertion, and this is the way the draftsman has chosen to do it. It is a massive amendment.

The Hon. SAMUEL MERRIFIELD.—Did the clerk say it was all right?

The Hon. R. J. HAMER.—I said it was all right; The clerk simply said that the first amendment was consequential on the second amendment. I apologize to the Committee that I did not point out that the first amendment was anticipatory of the second. The form of the amendment is sensible. So far as the further remarks of Mr. Merrifield are concerned, this is a liberalizing clause and the provisions may extend further. Mr. Mansell has said that this is a first step—that it will impose financial burdens on councils which, up to date, they have not had to face. I agree that it is a progression, but at the moment this is where we must stop.

The amendment was agreed to, as were a verbal amendment and a consequential amendment, and the clause, as amended, was adopted, as were clauses 5 and 6.

Clause 7, providing for separate rate affecting two municipalities.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Merrifield directed attention to this clause, which relates to separate rates by two or more municipalities, and said that changes could occur in the physical composition of one or more municipalities which might considerably affect the incidence of the rates. He is quite correct. The same phenomenon could occur even within the same municipality during the currency of a separate rate. Last year, the Local Government Act was amended to permit a variation of the separate rates during their currency. This was designed to meet the possibility that there could be changes in the rates which ought to be levied, and the rates could then be varied during their currency.

The Hon. SAMUEL MERRIFIELD.—These are different circumstances. This is a rate agreed to between municipalities, and it cannot be varied after the agreement.

The Hon. R. J. HAMER.—That could be done if the municipalities conferred. Although a single project might be located in one municipality, it could benefit two or more municipalities.

The Hon. SAMUEL MERRIFIELD.—Do you say that the agreement can be varied?

The Hon. R. J. HAMER.—Yes.

The clause was agreed to, as were clauses 8 to 10.

Clause 11 (Alpine Resorts).

The Hon. A. R. MANSELL (North-Western Province).—Sub-section (3) of proposed new section 851B contains the words " shall be referred to the Minister, and the Minister is hereby authorized." I take it that that means the Minister for Local Government, but some municipalities could think it was another Minister. Could there be any confusion as to which Minister is authorized?

The Hon. R. J. HAMER (Minister for Local Government).—Where there is reference in legislation to a Minister it means the Minister who is responsible for administering that Act. This is an amendment to the Local Government Act, and therefore a reference to the Minister will mean the Minister for Local Government. This is a matter of statutory interpretation which is universally accepted.

Mr. Merrifield raised the question whether it would not be proper for a person liable to be rated to be so rated in an alpine area in order to pay part of the cost of providing services under an agreement with a municipality. Properties included in an alpine resort are not rated, but the public authority which administers the resort may impose an occupancy fee or charge a rental sufficient to cover the administrative costs of the resort. This has been requested by the committees of management of the resorts, and they are prepared to undertake this sort of agreement. I do not think they will be paying for the services rendered out of their own resources, but they will certainly expect the people who own properties in these resorts to pay their fair share.

The clause was agreed to.

The Bill was reported to the House with amendments, and passed through its remaining stages.

INSTRUMENTS (CORPORATE BODIES CONTRACTS) BILL.

The debate (adjourned from 13 September, 1966) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. R. J. HAMER (Minister for Local Government).—Honorable members will recall that this Bill was introduced, partly explained, and then by order of the House the debate was adjourned so that the Statute Law Revision Committee could investigate

its provisions. That committee has produced a report on the proposals contained in the Bill and the report is available to honorable members. I do not propose to traverse what is contained in the report; suffice to say that the committee fully approved the principles behind the Bill, but suggested some fairly extensive alterations in the wording. The Parliamentary Draftsman has prepared amendments exactly along the lines recommended by the Statute Law Revision Committee, and the Government is happy to adopt those amendments. I commend the Bill to the House with the amendments as suggested by the committee. Copies of the amendments are available to honorable members who desire them.

On the motion of the Hon. Archibald Todd, for the Hon. J. M. WALTON (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

PUBLIC OFFICERS SALARIES AND ALLOWANCES BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

This Bill is introduced to make provision for the application of the marginal increase granted recently to certain officers and employees.

On 24th February, 1967, the Victorian Public Service Board issued a statement as to salary adjustments in the Victorian Public Service, effective as from 26th February, 1967. These adjustments follow the interim margins decision of the Commonwealth Conciliation and Arbitration Commission dated 22nd December, 1966, increasing each margin in clause 4 of the Metal Trades Award by an amount of from 1 per cent. to 2½ per cent. of the sum of the six capital cities basic wage and that margin, from the first pay period commencing on or after 23rd January, 1967. The Victorian Public Service Board applied this decision by adding 1 per cent. to 2½ per cent. to salaries of all officers and employees from 26th February, 1967.

An undertaking has been given that where increases of this nature have been granted by the Public Service Board, and arise from a general wage movement in the community, provision will be made for an *ex gratia* payment covering the period of time that elapsed between the first pay period after the effective date of the Arbitration Commission's decision and that of the Public Service Board. In this case the period of time is from and including 29th January, 1967, to 25th February, 1967.

There are a number of Government instrumentalities whose officers and employees are not subject to the Public Service Act, and Orders in Council will be required to grant to these officers and employees the benefit of similar increases, but no provision can be made for retrospective payments.

This Bill provides the authority for that to be done, but to preserve uniformity with the action taken in connexion with the Public Service generally, any increase payable in respect of the period from 29th January, 1967, to the date from which the increase will be paid, will not be taken into account in any calculation of salary, and so on, for the purposes of payment of overtime, pay in lieu of long service leave, or of any contribution to any superannuation fund. In effect, additional payment for that period will be confined to payment of salary.

Clauses 3 and 4 of the Bill make similar provision for "exempt" employees under the Public Service Act and for certain persons employed by the Housing Commission at Holmesglen. The Bill is basically the same as legislation passed by Parliament in 1960, 1963 and in 1965, and I commend it to the House.

On the motion of the Hon. Archibald Todd, for the Hon. SAMUEL MERRIFIELD (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

DANDENONG VALLEY AUTHORITY (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. I. R. CATHIE (South-Eastern Province).—This is just a machinery Bill, and the Labor Party has no objection to the proposals contained in it. Indeed, members of my party generally support planning as a necessary procedure in the development of civilized living in modern communities. Perhaps one of the most important powers written into the Dandenong Valley Authority Act was the power to declare buffer protection areas, and this Bill simply provides for the declaration as recreational areas of certain lands, such as flood-retarding basins, within the Dandenong valley.

It is estimated that the population of Melbourne will increase to about 5,000,000 people by the end of the century, and with the normal expectation of increased leisure time for the citizens one of the most important aspects of planning is the ability to look ahead and to provide sufficient recreational areas and amenities for the people of this rapidly developing metropolis.

Although this measure is chiefly machinery in nature, separate regulations under the Water Act have already achieved the setting up at Carrum of a committee of management which has power to levy fees in order to provide not only for the beautification of the Patterson river but also for necessary development of that area. There is a need to produce enough revenue to improve the existing facilities as well as to maintain them.

I should think that one of the localities where a committee of management is necessary is the area that includes one of the creeks that runs from the Carrum outlet drain to the Kananook creek, which flows into the sea at Frankston, and doubtless this will be one of the first committees to be formed under the amended legislation. It is necessary to develop that area and to beautify it generally not only for the benefit of the people who live along that waterway but also for the benefit of the many people who go to the district for the holiday seasons.

The committee that has been set up at Carrum is covered by the provisions of sub-section (11) of proposed new section 31A of the principal Act, as contained in clause 3. Committees that have been set up under the Water Act will become committees of management under the Dandenong Valley Authority Act, and this seems to me to be a logical extension of the legislation.

The remaining provisions of the Bill are designed to improve the day-to-day administration of the legislation. I commend Mr. John Mann, the manager and chief engineer of the Dandenong Valley Authority, the Commissioners and the staff of the Authority for the workmanlike way in which they have been carrying out their responsibilities. I commend the Bill to the House.

The Hon. A. R. MANSELL (North-Western Province).—Members of the Country Party have examined the Bill, which conforms to principles agreed to by the party for the benefit of the people of the community as a whole. I do not wish to delay the passage of the measure and, on behalf of my party, I express support for it.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Commissioners who are councillors to vacate office when they cease to be councillors).

The Hon. I. R. CATHIE (South-Eastern Province).—This clause provides that, after sub-section (1) of section 6 of the principal Act, there shall be inserted the following sub-section:—

(1A) When an elected commissioner who is a councillor of the municipality by which he is elected ceases to be a councillor of that municipality during his term of office as commissioner he shall cease to be a commissioner and his office as commissioner shall become vacant when he ceases to be a councillor of the municipality concerned.

I understand that an amendment along these lines was requested by the Frankston City Council. In all probability, if this provision had not been made a certain former councillor would not have remained as a commissioner of the Authority; however, I think it is a good thing for this provision to be included in the legislation to make the situation quite clear.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

STATE SAVINGS BANK (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. L. H. S. Thompson (Minister of Housing) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—This Bill brings back many happy memories to me. For about three and a half years as "Uncle Doug"—a name most people now call me in preference to other names—I enjoyed one of the finest experiences I have ever had in show business. I went on the air as maestro in charge of the famous old Mickey Mouse Club, and in that capacity I had great pleasure in trying to persuade children to save money, to be useful in helping their parents about the house, and to do good things generally.

I had the opportunity to speak to many children. I have always thought that children can spy phonies quicker than anyone else. It may be said that that is why they spied me, but that is not so because they reciprocated the love that I showered upon them. One of the most heartening experiences one has in doing a job such as that is in helping sick children, particularly those fated to die at an early age, of whom the most heart-rending are the leukaemia cases. Of the healthy ones, the vast majority have now progressed to their teenage years and beyond. Many of them are possibly married and may be now using the Crédit Foncier division of the Bank for loans or the ordinary State Savings Bank provisions for housing or other personal loans.

This Bill will dispense with an anomaly in the Act which was virtually a form of class discrimination against the officers and employees of the State Savings Bank. My party is pleased to support the Bill and wishes it a speedy passage through the House. At the same time, we wish the State Savings Bank well and hope that, in the not too distant future, it will have full commercial banking rights. Slowly but surely, I hope there will be appointed to the Board of Commissioners persons such as one whom I can recall, Barney Williams, whose services were ruthlessly dispensed with some years ago. There has not been a good Labor man on the Board for a long time. No one could question the ability of Barney Williams as a bank officer and as a man who assisted the State Savings Bank in its service to the people of Victoria. We support this measure, but we ask the Government to be more democratic in the control

of its Bank through the Commissioners. Certainly, the Commissioners are good men, but some are dead-set political appointees.

The Hon. H. A. HEWSON (Gippsland Province).—Mr. Elliot has almost damned the Bill with faint praise; I propose to deal with the fundamentals of the measure. The Bill is designed to remove an anomoly which exists so far as bank employees are concerned. I have been a depositor of the State Savings Bank since I was a small boy—I was a little out of "Uncle Doug's" class at that stage—and although I am not favourably known as "Uncle Arthur", I am favourably known as "Horrible Horace". Of course, by this means an amount of $2,000 was raised for the hospital, so I suppose it was worth while.

The Country Party appreciates the motive behind this Bill, which will assist to bring the State Savings Bank up to date. The employees of the Bank can be trusted and, when this small amending Bill becomes law, present and future employees of the Bank will be in a more favourable situation than they occupy to-day.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

ADJOURNMENT.

BUSINESS OF THE HOUSE: DAY OF MEETING—BEACHES: GLASS HAZARD —STATE RIVERS AND WATER SUPPLY COMMISSION: COMPULSORY ACQUISITION OF SOLDIER SETTLEMENT FARMS—HOUSING COMMISSION: EDUCATIONAL FACILITIES IN COLLINGWOOD.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That the House do now adjourn.

Unfortunately, it will be necessary for the House to meet to-morrow because it is desirable that the second-reading explanatory speech on the Stamps Bill should be made so that the Bill may be passed by Parliament next week. In view of the fact that leave was earlier refused to enable the second reading of this Bill to be commenced to-day, there is no alternative but for the House to assemble to-morrow.

The Hon. I. R. CATHIE (South-Eastern Province).—Whilst I appreciate the Government grants that are made available to municipalities for beach cleaning purposes, I am disturbed at the growing incidence of broken glass littering our beaches, particularly during the summer months. Only recently, at Seaford, a nine-year-old girl required fourteen stitches to close a wound in her leg which she suffered when she stepped on to broken glass hidden in the sand.

I direct the Government's attention to the growing practice of a number of soft drink manufacturers and other companies of using bottles which are branded, "No deposit; no return". It is clear that this practice encourages people to leave bottles on the beach, for someone to break and create a dangerous nuisance to beach users. I urge the Government to undertake some investigation to curb this growing practice of using bottles and then throwing them away because there is no encouragement to return them to the company that produced them.

The Hon. H. A. HEWSON (Gippsland Province).—I wish to raise a matter of grave concern to some people who, because of their sacrificial service to this country, have been granted an entitlement. I refer to a principle behind a question asked by me to-day—it was answered by the Minister of Agriculture—in relation to returned servicemen. This matter, I feel, shows a laxity or lack of appreciation of a situation which has arisen as a result of the compulsory acquisition by the State Rivers and Water Supply Commission of soldier settler farms for the construction of the Tarago dam at Neerim South.

My colleagues and I believe that those servicemen who have been settled on blocks and are holding purchase leases should not have their entitlement to cheap finance over a long term terminated because of the compulsory acquisition of their property. They should be allowed to transfer this portion of their loan on to the property to which they have transferred. In other words, if there is still an amount of $10,000 owing, this amount ought to be transferable.

Mr. May and I raised this matter with both the Minister of Lands and the Acting Premier at the time, both of whom replied that the matter would receive due consideration. However, despite verbal reminders and personal representations, the matter has not been satisfactorily answered and, for those settlers who are awaiting the Government's decision, it must be most frustrating not to receive a clear-cut answer after so many months of procrastination. I express the hope that this matter will receive favourable and urgent consideration.

The Hon. D. G. ELLIOT (Melbourne Province).—I wish to raise briefly an important matter concerning the future of families who will shortly be moving into the Collingwood area. I refer specifically to an area of approximately 15½ acres under the control of the Housing Commission on which multi-storied flats are to be erected. When the flats have been completed, hundreds of families will move into the area. I have no criticism of the Housing Commission or the Minister of Housing because of the proposal to erect multi-storied flats in Collingwood—it is a progressive step.

In conjunction with my Parliamentary colleague, Mr. O'Connell, I have had many consultations with the Education Department and the Minister of Education, but we always receive the monotonous reply that it appears as though it will be 1970 before anything is done to enlarge the educational facilities in that area. The Collingwood Girls' School, which is almost of high school standard, and the Cromwell-street State School are entirely inadequate for the educational requirements of the immediate area. This is symptomatic of the Government's policy of acting only when an emergency arises. There is a classic example of this with the Flemington High School, which was not built until it had to be built, and then it was entirely inadequate. A similar situation exists at Boundary-road, Kensington and at North Melbourne, where already the primary schools are 50 years out of date and inadequate for the pupils who are being educated there. The same applies to Carlton and South Melbourne.

In spite of protestations to the Government in relation to the liaison between the Minister of Housing and the Minister of Education, the system is falling down somewhere. As a result, in the inner suburbs of Melbourne, unless the people are prepared to agitate as they did in connexion with the Richmond High School, they are completely ignored. This is a serious accusation that I make against the Government concerning a situation which almost amounts to class distinction. The position in Collingwood will be chaotic because it is probable that the Housing Commission will set minimum ages for children of families who are to be moved into this area. A similar situation applies in connexion with the majority of multi-storied developments, which means that secondary education facilities will almost immediately be required in far greater proportions than already exist.

What will happen to these children? The Fitzroy High School is already tremendously over-crowded; the Richmond High School was established this year in temporary classrooms at the Brighton-street State School. These circumstances will make it impossible for children

to receive the educational training to which they are entitled and which is due to every young person in the community. It is of no use the Government or the Minister of Housing quoting the number of class-rooms that have been built since the late Ernie Shepherd was in charge of the Education portfolio; that is all hypocrisy. Urgent action should be taken to provide adequate educational facilities for the children, particularly in the inner areas and the Labor areas of Melbourne. If we do not get the action that is required, we will be forced to march upon this Government as happened a few weeks ago.

The motion was agreed to.

The House adjourned at 9.45 *p.m.*

Legislative Assembly.

Wednesday, March 8, 1967.

The SPEAKER **(Sir William McDonald)** took the chair at 4.4 p.m., and read the prayer.

NATURAL GAS.

INSTALLATIONS AT BARRYS BEACH AND LONGFORD: EMPLOYEES.

Sir HERBERT HYLAND (Gippsland South) asked the Premier—

Whether, referring to his answer to question No. 6 asked in this House on Wednesday, 22nd February last, he has obtained from Esso-B.H.P. the information sought; if not, what indication (if any) he can give as to when the information will be available?

For **Sir HENRY BOLTE** (Premier and Treasurer), Mr. Rylah (Chief Secretary).—The information sought by the honorable member has now been supplied to him.

GOVERNMENT ASSISTANCE TO ESSO-B.H.P.

Sir HERBERT HYLAND (Gippsland South) asked the Premier—

Whether, referring to his answer to question No. 3 asked in this House on Wednesday, 22nd February last, he is now in a position to supply the information sought, as promised?

For **Sir. HENRY BOLTE** (Premier and Treasurer), Mr. Rylah (Chief Secretary).—The information sought by the honorable member has now been supplied to him.

CITY OF CASTLEMAINE.

TOTALIZATOR AGENCY BOARD BRANCH: PAYMENTS FROM HOSPITALS AND CHARITIES FUND.

Mr. STONEHAM (Leader of the Opposition) asked the Treasurer—

1. In each year since the Totalizator Agency Board's Castlemaine office began business—(*a*) what amount has been invested at the office; (*b*) what amounts have been paid out in dividends; and (*c*) how much has been paid out in—(i) wages; and (ii) office maintenance, &c.?

2. What amounts have been paid to hospitals and similar organizations in Castlemaine from the Hospitals and Charities Fund during each of the above years?

For **Sir HENRY BOLTE** (Premier and Treasurer), Mr. Rylah (Attorney-General).—The answer to these questions comprise lengthy statistical statements, and I ask leave to have them incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follow:—

(1) (*a*) The investments during each racing year since the Castlemaine Totalizator Agency Board's office began business have been:—

	$
1961–62	102,732
1962–63	193,076
1963–64	305,564
1964–65	409,890
1965–66	460,087

(*b*) No records of the dividends paid from a particular agency are available.

However, surveys conducted by the Totalizator Agency Board reveal that, irrespective of the location, the amount of dividends paid is proportionate to the turnover.

On this basis it is reliably estimated that the dividends paid over the period were as follows:—

	$
1961–62	89,300
1962–63	167,900
1963–64	265,800
1964–65	352,500
1965–66	395,600

(c) (i) Wages of staff employed at the Castlemaine office are met by the agent conducting the office from the commission paid to the agent by the Board.

The commission paid over the period was:—

	$
1961–62	3,082
1962–63	5,792
1963–64	9,167
1964–65	12,297
1965–66	13,156

(ii) The actual expenditure incurred by the Totalizator Agency Board on office maintenance in respect of a particular agency is not known. However, the Board estimates that the expenses incurred in respect of the Castlemaine office would have been as follows:—

	$
1961–62	2,670
1962–63	5,020
1963–64	7,940
1964–65	10,650
1965–66	11,960

	$
(2) 1961–62	204,680
1962–63	255,752
1963–64	214,202
1964–65	289,004
1965–66	350,469

CHANDLER HIGHWAY.

TRAFFIC COUNT.

For **Mr. WILKES** (Northcote), Mr. Lovegrove (Fitzroy) asked the Chief Secretary—

1. When the last traffic count was taken to determine north-bound and south-bound traffic flows between 8 a.m. and 9 a.m. and 5 p.m. and 6 p.m. in Chandler Highway, Fairfield and Kew, by whom it was taken, and what was the result?

2. Whether at the same time the numbers of vehicles turning right and left, respectively, from Heidelberg-road into Chandler Highway and the number of vehicles turning left and right, respectively, from Chandler Highway into Heidelberg-road between 8 a.m. and 9 a.m. and 5 p.m. and 6 p.m. were ascertained?

Mr. RYLAH (Chief Secretary).—The answers are—

1. The last traffic counts at the stated periods were taken by the Country Roads Board on 15th February, 1967 and showed:—

	8 *a.m.*–9 *a.m.*	5 *p.m.*–6 *p.m.*
Number of vehicles north-bound	1,698	807
Number of vehicles south-bound	691	1,339

2. Yes, with the following results:—

	8 *a.m.*–9 *a.m.*	5 *p.m.*–6 *p.m.*
Vehicles turning right into Chandler Highway ..	446	1,022
Vehicles turning left into Chandler Highway ..	245	317
Vehicles turning right from Chandler Highway ..	310	324
Vehicles turning left from Chandler Highway ..	1,388	483

BRIDGE AND ROAD WORKS.

For **Mr. WILKES** (Northcote), Mr. Lovegrove asked the Minister of Public Works—

1. When the Chandler Highway bridge at Fairfield was widened to take additional traffic and to assist traffic flow, and who carried out the work?

2. What was the cost of the bridge works carried out?

3. When the Chandler Highway was reconstructed and resurfaced, who carried out the works, what was the cost, and by whom the cost was borne?

Mr. PORTER (Minister of Public Works).—The answers are—

1. The bridge has not been widened. It was strengthened in 1956 by the Country Roads Board on behalf of the Public Works Department.

2. $173,008.

3. North of Yarra river: 1962-63—Reconstruction was carried out under the Supervision of Heidelberg and Northcote city councils at a cost of $46,452. 1963-64—Final surfacing was carried out under the supervision of the Northcote city council at a cost of $4,780.

South of Yarra river: 1963 and 1965—Resurfacing was carried out under the supervision of the Kew city council at a cost of $10,160. The above costs were shared between the cities of Heidelberg, Northcote and Kew and the Country Roads Board.

LAL LAL GRASS FIRE.

ORIGIN: INVESTIGATIONS.

Mr. STEPHEN (Ballaarat South) asked the Chief Secretary—

Whether it has been ascertained how and where the recent fire at Lal Lal began; if not, what investigations are being carried out in this matter at this point of time and by whom they are being carried out; if so, what action is being taken to apprehend or otherwise proceed against any person or persons responsible?

Mr. RYLAH (Chief Secretary).—The answers are—

1. The fire started at the rear of the Lal Lal hotel in dry grass. Two theories were established during the investigation into the fire cause—

(i) Children playing with matches.—Two children aged two and four years were seen playing in the vicinity of the starting point. They were observed by two girls eight and eleven years who were pegging clothes on the line at the rear of the hotel. These two older girls observed the fire start close to where the two children were standing. Investigation revealed that a box of matches which was in reach of children was missing from the boiler room situated at the rear of the hotel.

(ii) Sparks from incinerator.—A 44-gallon open drum was situated at the rear and down-wind of the hotel. Burnt fire area was within feet of this open drum, which was used to receive burnt coals and ashes from the boiler room. Police investigation has revealed that the contents of the open drum were cold soon after the start of the fire, and there is no evidence to support the theory that water had been applied to the drum prior to the investigation.

2. It is understood that police have completed their investigation and consider that the cause of the fire is—"Suspect children playing with matches."

3. There is no conclusive proof that the fire was started by children or any other source. Therefore no police action will be taken.

EDUCATION DEPARTMENT.

USE OF MUNICIPAL PARKS AS PLAYING FIELDS: GRANTS.

For **Mr. WILKES** (Northcote), Mr. Lovegrove asked the Minister of Education—

1. At what locations in Victoria the Education Department subsidizes municipalities for the use of parks as playing fields or part playing fields, indicating—(*a*) the amounts paid by the Department in each case; (*b*) how the amounts were arrived at; (*c*) whether the amounts were the result of negotiations between senior officers of the Department and municipal officers; and (*d*) the areas of the parks used in each case?

2. Who makes the final decision in the Department concerning these subsidies?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answers are—

1. The Education Department does not subsidize municipalities for the use of parks as playing fields but does make grants from time to time for capital improvements to recreation reserves on condition that the municipality enters into an agreement with the Minister for the free use of the ground by schools in the district during school hours. Subsidies are not granted for the maintenance of municipal playing fields used by schools.

(*a*) and (*d*) An examination of the files available at the time of preparing this answer indicates that grants have been made at the following locations:—

Municipality.	Reserve.	Approx. Area.	Amount.
		Acres.	$
City of Camberwell	Council Reserve	1	495
Shire of Ferntree Gully	Upwey Reserve	6½	12,000
City of Northcote	Henderson Park	2½	2,000
City of Preston	H.P. Zwar Reserve	13½	6,500 (not yet paid)
City of Sale ..	McMillan Park	5	3,000
City of Wonthaggi	South Wonthaggi Reserve	6	2,150

In addition, approximately 6 acres of land is being transferred to the Shire of Berwick for a nominal amount for recreational purposes on the understanding that the council will develop it and allow the schools to use it without charge, and an application from the Northcote City Council for a grant towards the cost of developing the John Cain Memorial Park is under consideration.

(*b*) The present policy is to make these grants available on a $1 for $1 basis up to a maximum of $10,000. The grant to the Shire of Ferntree Gully was made prior to the adoption of this policy. In the case of the City of Camberwell, the grant was made on a $2 for $1 basis, having regard to the relatively small amount and the fact that the small area adjoining State School No. 888, Camberwell, is used by the school for ordinary every-day play purposes at recess periods.

(*c*) Yes, in consultation with the Minister, having regard to the policy already outlined.

2. The Minister.

RUSHWORTH RESIDENCES: MAINTENANCE WORKS.

Mr. R. S. L. McDONALD (Rodney) asked the Minister of Education—

1. Whether the maintenance works to be carried out on departmental residences at Rushworth (for which tenders were let) were re-advertised on account of a shortage of funds?

2. When some of these residences, which have been on the waiting list for maintenance for some eight years, are expected to receive attention?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—This information will take a considerable time to prepare. I shall advise the honorable member when it is available.

SCHOOL LIBRARY SUBSIDIES.

Mr. COCHRANE (Gippsland West) asked the Minister of Education—

1. How many schools obtained school library subsidies this financial year?

2. How many applications for such subsidies were unsuccessful due to lack of funds?

3. Whether further funds will be made available this financial year to enable subsidies to be made to these unsuccessful schools?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answers are—

1. 1,785 have been approved.

2. 228.

3. No.

ELECTORATE OF BROADMEADOWS: PORTABLE CLASS-ROOMS: TEACHERS AND STUDENTS.

Mr. WILTON (Broadmeadows) asked the Minister of Education—

1. How many portable class-rooms are in use in State primary and secondary schools, respectively in the Broadmeadows electorate?

2. What is the teacher-student ratio in each school in the electorate?

3. How many qualified and unqualified teachers, respectively, are at each such school?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—This information will take a considerable time to prepare. I shall advise the honorable member when it is available.

UPFIELD HIGH SCHOOL: TENDERS.

Mr. WILTON (Broadmeadows) asked the Minister of Education—

Whether tenders have been let for the building of the Upfield High School; if so—(*a*) who was the successful tenderer; and (*b*) what is the estimated time for the completion of the contract?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answer is—

Yes.

(*a*) P. M. Versteegen and Sons Pty. Ltd.

(*b*) Nine months.

WESTMEADOWS PRIMARY SCHOOL: ADDITIONAL CLASS-ROOMS.

Mr. WILTON (Broadmeadows) asked the Minister of Education—

Whether there are any plans for increasing the number of class-rooms at Westmeadows primary school; if so, when it is expected building operations will commence?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answer is—

Tenders have recently been let for a number of district contracts which cover the erection of additional class-rooms at various schools.

One class-room at Westmeadows was included in one of these district contracts, and it is expected that building operations will commence before the end of next month.

SCHOOLS IN BRUNSWICK AND MORELAND: TECHNICAL SCHOOL FEES: MIGRANT PUPILS IN BRUNSWICK AND COBURG: TEACHING OF ENGLISH.

Mr. TURNBULL (Brunswick West) asked the Minister of Education—

When it is anticipated that the answer to question No. 14, asked in this House on Wednesday, 22nd February last, will be available?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answer is—

Most of the information has been compiled but some schools have not yet provided the details sought in part 8 of the question.

It is expected that the complete answer will be available next week. In any event an answer setting out all the information available will be given on Wednesday next if the question is repeated then.

DEPARTMENT OF HEALTH.

SCHOOL MEDICAL SERVICE: MEDICAL CHECKS OF PUPILS: IMMUNIZATION.

For **Mr. WILKES** (Northcote), Mr. Lovegrove asked the Minister of Education—

1. How many doctors are employed by the Education Department?

2. How often medical checks are made at primary and secondary schools, respectively?

3. How often immunization campaigns are conducted at primary and secondary schools, respectively, and who conducts such campaigns?

4. What diseases children are immunized against?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answers are—

This question should have been addressed to the Minister of Health, who has supplied the following answer:—

1. Medical officers employed in the School Medical Service are officers of the Department of Health. There are at present employed 38 full-time and five part-time medical officers.

2. To make the best use of the number of medical officers available for this work, a new procedure is being adopted. Previously the School Medical Service aimed to examine all children at Grades 2 and 5 level and in Form II. The new system will provide for examination of all children in Grade 1 and in Form III. with an examination in Grade 4 of those children in whom defects were previously discovered or where there are other indications—report by teachers, request by parents, &c.—that such an examination is desirable.

3. Immunization campaigns are carried out by local municipal authorities, and the Department aims at having the immunization programme in respect of the common infectious diseases completed before school age.

Local municipal authorities do seek to follow up in the early school years those children who fail to have the necessary "booster" injections.

The Tuberculosis Branch of the Department of Health conducts a B.C.G. immunization programme against tuberculosis infection in the early secondary school years, and visits are made to each school approximately once in three years.

4. Council immunization programmes cover smallpox, poliomyelitis, tetanus, diphtheria and whooping cough.

In secondary schools, the Tuberculosis Branch of the Department of Health provides an immunization programme in respect of tuberculosis.

SCHOOL DENTAL SERVICE: CHECKS OF PRIMARY SCHOOL PUPILS.

For **Mr. WILKES** (Northcote), Mr. Lovegrove, asked the Minister of Education—

1. How many dentists are employed by the Education Department?

2. How often dental checks are made on children attending primary schools?

For **Mr. BLOOMFIELD** (Minister of Education), Mr. G. O. Reid (Minister for Fuel and Power).—The answers are—

This question should have been addressed to the Minister of Health, who has supplied the following answer:—

1. Dentists employed in the School Dental Service are officers of the Department of Health.

That Department employs 35 dentists full-time and one part-time.

2. The policy of the Department is for dentists to visit annually those primary schools in country areas attended by children resident more than 20 miles from dentists in private practice. The Department also operates three dental clinics in the metropolitan area to which children in primary schools in the more densely settled inner areas are taken annually for dental attention.

STATE ELECTRICITY COMMISSION.

CONSOLIDATED REVENUE PAYMENTS.

Sir HERBERT HYLAND (Gippsland South) asked the Minister for Fuel and Power—

Referring to his answer to question No. 16 asked in this House on Wednesday, 28th September last, what decision has been arrived at regarding the levy of 3 per cent. on profits of the State Electricity Commission?

Mr. G. O. REID (Minister for Fuel and Power).—The answer is—

Discussions are continuing between the State Electricity Commission and the Treasury concerning items of revenue which are to be subject to the 3 per cent. contribution, but final decisions have not yet been made.

RAILWAY DEPARTMENT.

LEVEL CROSSING ACCIDENTS: DUTIES OF TRAIN CREWS.

Mr. TREZISE (Geelong West) asked the Minister of Transport—

What are the duties of a train crew immediately following a level-crossing accident?

Mr. MEAGHER (Minister of Transport).—The answer is—

Where the crew of the train is aware of an accident at a level crossing, they are required to stop the train, assist any victims, if possible, protect the train, and report the incident to the nearest man-in-charge station, as soon as possible.

STATE RIVERS AND WATER SUPPLY COMMISSION.

SALE WATER SUPPLY.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Water Supply—

Whether he has anything further to add to his letter dated 17th February last, to the honorable member regarding the Sale City Council's letter relating to the Sale water supply?

Mr. DARCY (Minister of Water Supply).—The answer is—

The matters raised in the letter referred to have been investigated, and I shall furnish the honorable member with a written reply later this week.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Immigration, for the Minister of Health—

Whether he has anything further to add to his letter dated 16th February last, to the honorable member regarding the Sale City Council's letter relating to the Sale water supply?

For **Mr. ROSSITER** (Minister of Immigration), Mr. Meagher (Minister of Transport).—The answer supplied by the Minister of Health is—

The Minister of Health forwarded a further reply to the honorable member earlier this week and enclosed with that reply a copy of a letter sent by him to the council of the City of Sale.

BREAD INDUSTRY.

COUNTRY BAKERS.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Labour and Industry—

How many country bakers (apart from the Melbourne-owned combines) were in operation ten years ago, and how many are in operation at the present time?

Mr. WILCOX (Minister of Labour and Industry).—The answer is—

In 1956, there were 411 bakeries outside the Port Phillip Region registered as factories under the Labour and Industry Act. In 1966, the comparable figure was 299.

The "Port Phillip Region" is the regional basis adopted by the Central Planning Authority and is used in Department of Labour and Industry statistics. That region is bounded approximately by Werribee, Bacchus Marsh, Whittlesea, Marysville, Warburton, Dandenong, and includes the Mornington Peninsula.

CHURCHILL TOWNSHIP.

REPRESENTATIONS TO ADVISORY COMMITTEE.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of State Development—

1. On what dates during the last two years the Latrobe Valley Development Advisory Committee visited the town of Churchill, and what requests were put to the committee by—(*a*) the Morwell Shire Council; and (*b*) the Churchill residents?

2. Which of the requests were approved by the Government?

Mr. MANSON (Minister of State Development).—The answers are—

Visits were made on 21st January, 1966, and 24th February, 1967. The first occasion involved a brief inspection; the second occasion also related to an inspection, but councillors and officers of the council guided the party.

No formal requests were made either by the council or by local residents but, during this latter visit, the shire president made personal representations concerning the need for a special recreation reserve grant.

The Morwell Shire Council is known to be undertaking the preparation of a formal submission relating to the matter, receipt of which is expected in the near future.

SUBORDINATE LEGISLATION COMMITTEE.

GENERAL REPORT.

Mr. L. S. REID (Dandenong) presented a general report of the Subordinate Legislation Committee.

It was ordered that the report be laid on the table and be printed.

GRIEVANCE DAY.

SUSPENSION OF STANDING ORDER.

Mr. RYLAH (Chief Secretary).—I move—

That Standing Order No. 273c be suspended for Thursday next so far as it requires that the first Order of the Day on every third Thursday shall be either Supply or Ways and Means.

The motion was agreed to.

TULLAMARINE FREEWAY LANDS BILL.

The debate (adjourned from March 7) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. CHRISTIE (Ivanhoe).—This debate provides me with an opportunity to say something on the question of compensation. The honorable member for Essendon made a plea for adequate compensation to be paid to persons whose homes will be razed and who will be shifted out of the area as a result of the planning of the freeway.

Mr. TURNBULL.—I think I made that plea.

Mr. CHRISTIE.—The honorable member for Brunswick West also referred to this question; he drew some distinction between the values of homes in one place and those in another location. There was one criticism of the Melbourne and Metropolitan Board of Works by the honorable member for Essendon. One of the problems facing this city is that an endeavour is being made to replan it on the cheap. I have mentioned this point several times, and I should like to hear what the Minister of Lands has to say on the matter. I know that it will not be pleasant, but I shall make a comparison with the City of Sydney. Many honorable members have seen the attractive bridge in that city and what was done to make it possible. A magnificent property on Hunters Hill was taken over, and from that disturbance the City of Sydney gained a monument with a most attractive complex of bridges and footpaths. Why can such work be done with less disturbance and less argument in the City of Sydney than in Melbourne? I submit the reason is that the compensation paid and the method of compensation employed in Sydney is far more realistic than in Melbourne. One of the reasons is that the Valuer-General's Department is so well organized, with valuations close to market value and people getting from the authority doing the job adequate compensation so that, although they are disturbed and they do not want to leave the area, at least they are so well compensated that it softens the great blow of being pushed out.

I believe that no city as wealthy as Melbourne should be replanned on the cheap. Moreover, because it is cheaper, there is a tendency to take public open spaces and parklands. I believe all people should pay for replanning work—those who benefit should pay the greater part, and the whole community should share in the balance. Those hurt by the project should be more than adequately compensated. If this practice were adopted, we would not hear the protests and the criticism that have been heard from honorable members on both sides of the House in relation to this Bill. The matter should be tackled on the basis that we should be prepared to face the cost, that we want to do the job, and that anybody who suffers should be well looked after. Everyone will support the construction of the freeway to the jetport. It is good to see that the Government realizes the speed with which this job should be done.

Mr. BIRRELL.—It is too fast for New South Wales.

Mr. CHRISTIE.—That is another story. I should like to hear comments either in this House or in another place by the Government or the Board of Works on the question of compensation and how people who are hurt by replanning can be adequately looked after.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Power to Board to enter upon and use reserved lands).

Mr. BALFOUR (Minister of Lands). —I listened with great interest to the comments of honorable members on this proposed legislation. I do not agree with the honorable member for Brunswick West that this Bill is premature, because it is hoped that the roadworks will be completed by November, 1969. Progress is taking place at the Tullamarine Jetport, and it is up to us to see that, as soon as the jetport is ready for use, the roadworks will be completed.

This Bill deals particularly with Crown lands and recreational areas under the control of municipalities that will be affected. Although compensation has been mentioned, this aspect should not be dealt with at this stage. Of course, the route of the Tullamarine Freeway was selected following a consideration of the best engineering advice available. I hope the people who have been put out of their homes will be compensated in a reasonable manner. I agree with the honorable member for Ivanhoe that, because of the construction of a Government project, people should not be any worse off after they have vacated their homes than they were before. I believe that this aspect could be examined at Government level and by all honorable members to ensure that people who are disturbed are properly rehabilitated in other places.

Arrangements have been made that all open spaces required for the freeway will be fully replaced at the expense of the Board of Works. Where open spaces have been developed with fencing and sporting facilities, it will be the responsibility of the Board to replace those facilities at least to their former standard. If any pavilions are to be demolished, the Board shall replace them on new sites with similar structures. This provision is made by section 287 of the Melbourne and Metropolitan Board of Works Act, which requires the Board to agree with the municipalities to undertake these works or to make it possible for the Governor in Council to determine what shall be done.

Five municipalities are involved in the construction of the Tullamarine Freeway. The cities of Melbourne, Essendon and Broadmeadows have offered no objection to the Board's proposals. The cities of Brunswick and Coburg have objected. In the case of Brunswick and Coburg, Orders in Council have been made requiring the Board to do certain things—the order in relation to the City of Brunswick was dated 21st February, 1967, and that concerning the City of Coburg was dated the 7th March, 1967. I shall not weary the Committee by reading the contents of the Orders, but I have them in my possession and they determine that certain replacements shall be made. So far as Crown land and open spaces are concerned, I believe that the people have been protected. In the long run, the lands acquired will be replaced.

Mr. TURNBULL (Brunswick West). —I shall reserve my remarks on the subject of parklands, and what was said by the Minister of Lands on that aspect, until clause 8 is under consideration. So far as compensation is concerned, in substance under the Lands Compensation Act, the Melbourne and Metropolitan Board of Works compensates the owners on only the market value of the land.

The CHAIRMAN (Mr. Christie).— Order! The remarks of the honorable member for Brunswick West would be more appropriate to clause 8.

Mr. TURNBULL.—Clause 8 deals with parklands. I am speaking on compensation, to which you, Mr. Chairman, adverted a few moments ago, and which was also dealt with by the Minister of Lands.

The CHAIRMAN.—Clause 2 does not cover the question of compensation.

Mr. TURNBULL.—What clause does refer to compensation? Why did you, Sir, allow the Minister of Lands to speak to this clause on the question of compensation?

The CHAIRMAN.—It was explained in Committee yesterday that the Minister has a special privilege when speaking on clause 2 of answering all matters raised during the second-reading debate, but this privilege is not extended to other members of the Committee. If there is no clause under which the question of compensation can be discussed, it would be opportune for the honorable member for Brunswick West to raise the matter at the third-reading stage.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (New course of Moonee Ponds creek to vest in Board).

Mr. WHEELER (Essendon).—I wish to refer to the alternatives suggested by the Essendon City Council and the Broadmeadows City Council which were accepted by the planners. In debate yesterday, it was stated that the municipalities of Essendon and Broadmeadows had raised no objection to the route of the proposed freeway. However, the alternative suggested by the Essendon City Council saved Ormond Park from destruction. The original route of the freeway would have resulted in the demolition of 27 homes from the area of Wallace-crescent, by a realignment of the Moonee Ponds creek. The Broadmeadows City Council suggested that, by allowing the Moonee Ponds creek to retain its present course, these homes could be saved. Acceptance of those alternatives prevented further objection from the municipalities of Essendon and Broadmeadows.

The clause was agreed to.

Clause 8 (Power to Board to acquire certain lands subject to Cultural and Recreational Lands Act 1963 No. 7101).

Mr. TURNBULL (Brunswick West).—The Minister of Lands repeated what the Melbourne and Metropolitan Board of Works has said. I wish to read again a letter from the Secretary for Local Government to the West Brunswick Progress Association, which states—

> It is the Melbourne and Metropolitan Board of Work's intention to replace any active playing fields reserved for road purposes. In the design of the freeway every effort will be made to preserve every existing aesthetic feature.

My real objection is that the Board is not carrying out its undertakings. Amongst the objections raised by the Brunswick and Coburg councils were those relating to the loss of playing fields, buildings, land and rate revenue.

In his second-reading speech, the Minister said that there was no other land comparable to Morris Reserve available in Coburg. The Board of Works has refused or neglected to procure comparable land which could be used in lieu of the parks which exist at present and which will be taken over for the construction of the freeway. There is not much open land available in old cities such as Brunswick, and any land which is available would be worth $1,000,000 if it was valued on a commercial basis. The Brunswick City Council told the Board that no other land was available except an area at the top of a clay hole in Victoria-street owned by people by the name of Kelly. However, the Board has turned down that suggestion. It also refused to consider a clay hole between Albert-street and Dawson-street owned by the city council. That land is to be gazetted as open space, and the hole will be filled some day. However, the Board refused to purchase this land. Surely the obligation is not on the Brunswick City Council to find an alternative, but the council has made endeavours in

this regard and its suggestions have been flatly rejected by the Board. It is time that this humbug stopped.

If the Minister knows that the Board will replace these areas, he should inform the Committee of the land that is in mind. The Minister of Lands, who is at the table, probably knows nothing about the land in this area. The only land available is a rough area along the creek, and it will cost thousands of dollars to redevelop. Why cannot the Board buy a substantial area of land on which park amenities could be provided? When it is asked about this matter, it refuses to do anything.

The Brunswick City Council and the public are being treated badly by the Board. You, Mr. Chairman, correctly stated that there is no real planning in Melbourne. It is all very well to mark a couple of lines on a map, put a road through the area, scatter the residents like common geese on a roadway, take over parks, and destroy playing fields, as has been done in this case, say that they will be replaced, and then, when land is made available for replacement, to turn the offer down flat.

The CHAIRMAN (Mr. Christie).—I apologize to the honorable member for Brunswick West for not permitting him to deal with compensation matters under clause 2.

Mr. WHEELER (Essendon).—There is little or no alternative land available in the City of Coburg with which to replace Morris Reserve, but in his second-reading speech the Minister said that the Melbourne and Metropolitan Board of Works is prepared to consult with the council with a view to providing a suitable replacement. Of course, it has not been said when the Board will make this replacement. It is all very well to make a broad statement in regard to the replacement of the reserve, but people in the area have been using the amenities for years. The Coburg City Council has spent a great deal of money on the Morris Reserve, and its action has been appreciated by the young people of the district. Are these people to be deprived of this reserve for ever and a day? The Board should state when this replacement will be made.

I should like to correct a statement made by the honorable member for Brunswick West that a certain amount of humbug was evident. The Minister has done everything possible, within his powers, to prevent any humbug. He came to my home at 8.30 a.m. one day and inspected the area with me. I assure the Committee that the honorable member for Brunswick West was not present. The Minister has gone out of his way to acquaint himself with the problems that confront the people in the area, and he has seen many deputations. He has done this with the utmost tolerance and has listened to much tedious repetition and many ridiculous statements by leaders of a particular municipality.

Mr. BALFOUR (Minister of Lands).—Earlier in the debate, I said that I would not read the two Orders in Council made by the Governor in Council to ensure that this land will be replaced, but, because doubts have been expressed that this land will be replaced, I shall put the Orders on record. A determination has been made by the Governor in Council, in the case of the Brunswick City Council, dated 21st February, 1967, and so far as it relates to open spaces, it reads as follows:—

LOSS OF PLAYING FIELDS: Objection to the loss of existing and proposed playing fields along the Moonee Ponds Creek.

DETERMINATION: The Board at its expense shall replace all open space in the City of Brunswick required for the works, and in particular shall acquire and transfer to the corporation of the said City the following areas:—

(1) Land comprising approximately 5.76 acres lying immediately south of Brunswick-road and bounded by the present course of Moonee Ponds Creek (including the creek course itself after the proposed diversion).

(2) Land comprising approximately 2.62 acres in Waxman-parade.

(3) Land comprising approximately 1.12 acres at the corner of Hopetoun-avenue and Melville Creek.

(4) Land comprising approximately 2.84 acres situated east of Shelley-street and bounded by the present course of the Moonee Ponds Creek.

(5) Land comprising not less than four acres within the City of Brunswick to be agreed upon between the the Board and the Council in consultation.

LOSS OF PUBLIC HALL IN KITCHENER RESERVE: Objection to the acquisition of the public hall building in Kitchener Reserve.

DETERMINATION: The Board at its expense shall re-establish or replace the public hall as nearly as may be to the same dimensions and specifications as the existing hall on a location to be approved by the Council.

In the case of the Coburg City Council, an Order in Council dated 7th March, 1967, in regard to open spaces, reads—

LOSS OF OPEN SPACE: Objection to the acquisition of portion of the Morris Reserve, comprising 2.07 acres, and of the 8th Coburg Scout Hall situated upon it, and also to the loss of certain undeveloped open space comprising 5.79 acres south of Bell-street extension and 2.02 acres south of Adney-court.

DETERMINATION: The Board, at its expense, shall construct a replacement Scout Hall of the same dimensions and same construction as the present hall on a site satisfactory to the City of Coburg.

The Board, at its expense, shall also replace within the City of Coburg, to the satisfaction of the Council, an area of public open space at least equivalent in area to the portion of the Morris Reserve and the undeveloped open space to be acquired for the purposes of the Freeway, and in particular shall acquire and transfer to the corporation of the said City the following areas:—

(1) Land comprising approximately 6.25 acres off Somerset-street, and bounded by the present course of the Moonee Ponds Creek (including the old creek course itself after diversion), drained and prepared and laid out as a playing field.

(2) Land comprising not less than 4 acres within the City of Coburg to be agreed upon between the Board and the Council.

The information contained in those Orders in Council should indicate that every effort is being made to ensure that these lands will be replaced. In one or two instances, where apparently a site has not been agreed upon at this stage, I hope the council and the Board will reach agreement so that the areas can be replaced as soon as possible. I hope I have cleared up some of the worries that the honorable member for Brunswick West has concerning the replacement of this land.

Mr. TURNBULL (Brunswick West). —What the Minister has just said proves what I have been saying. The areas to which he referred are completely remote from the Morris Reserve, which has been enjoyed by the people of Pascoe Vale South for many years. The Minister might as well offer some land at Broadmeadows. The people to whom I am referring are excellent representatives of the middle class who put this Government into power, and they are ashamed of what the Government has done in regard to Morris Reserve.

I have been astounded to learn that in Brunswick the Board has acquired excellent reserves of 5 acres, 2 acres, 1 acre, 2.4 acres, and so on, upon which there are playing fields. In West Brunswick, the Board has taken all the playing fields available. The Board apparently contends that the provision of 10½ acres will replace the land lost to Brunswick. The Brunswick City Council strongly objects to this proposal for reasons that I shall outline.

First, none of the replacement land is within the City of Brunswick. Secondly, playing fields are desperately needed within the City of Brunswick, and the council is expected to provide these fields for fourteen schools, including four secondary schools, within the municipality, as well as for week-end use by local clubs. The result is that the areas are used six or seven times a week, and not all schools can be accommodated. Thirdly, any vacant land in the residential area of Brunswick is worth $1.50 per square foot, and more if built on or in industrial areas.

The Board has undertaken to replace any active playing fields reserved for road purposes, but it is humbug for the Board to say that these areas will be replaced by small areas of land scattered along the creek reserves. The plan prepared by the Brunswick City Council shows that the only land available consists of two large areas, one facing the north side of Albert-street and the other facing the south side. Unless the Board is prepared to accede to the request of the Brunswick City Council, its offer is nothing short of humbug.

I again refer to statements previously made concerning planning in this city and the acquisition of playing fields for road purposes. As you have said, Mr. Chairman, it is planning on the cheap; all planning in this State is done on the cheap.

Mr. WHEELER (Essendon).—Mr. Chairman, you have indicated that during the debate on clause 8 members may refer to the subject of compensation. Under the Lands Compensation Act, the acquiring authority may pay as a disturbance fee, or something of that nature, a sum equivalent to 10 per cent. of the valuation agreed upon.

I wish to make a couple of comparisons. One person may own a home valued at $12,000, while his neighbour or a resident in a nearby street may own one valued at $20,000. Under the provisions of the legislation, the owner of the $12,000 home would receive $1,200 disturbance fee and the owner of the $20,000 home would receive $2,000. The owner of the modest little home valued at $12,000 may be in the throes of rearing a young family and to him money is vital. On the other hand, the owner of the $20,000 home may have established himself in the community, and possibly his family has been reared and off his hands.

The person rearing a family is more in need of money than the person whose children have left home. The costs of property holders moving from one house to another, no matter of what value, are almost identical, but the owner of the home of lesser value is much worse off than the owner of the higher value. Moreover, the owner of the house valued at $20,000 can move to Glen Waverley, for example, where homes are more valuable than in many other parts of the metropolitan area, whereas the other person cannot afford to move to such a suburb. This is an anomaly that has crept in.

Then there is the position of the fixed income earner. Such a person might have lived in a particular locality for a number of years and paid off his home, which the acquiring authority values at, say, $12,000. Overnight, he finds that he must pay from $4,000 to $6,000 more to purchase a comparable home in another locality. Such a person is faced with a considerable financial burden. I have mentioned some of the anomalies about which the Board has not been realistic. I have directed the attention of the Board to this matter time and time again, but I cannot seem to get through to it that the anomalies should be removed.

The clause was agreed to, as was the schedule.

The Bill was reported to the House without amendment, and the report was adopted.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a third time.

Mr. TURNBULL (Brunswick West).—The Opposition will oppose the third reading of the Bill. As I pointed out during the second-reading debate and in Committee, this measure is grossly unfair to the cities of Coburg and Brunswick because it provides for the acquisition of substantial areas of playing fields for road purposes. The Brunswick City Council has informed the Board of Works of land which could replace the land being acquired.

The Minister's reply to the points raised by the Opposition is completely unsatisfactory. No real attempt is being made by the Government or by the Board of Works to replace the playing fields which have been taken. The Board has admitted that it is impossible to provide like for like in the Pascoe Vale area.

It was suggested earlier that at the third-reading stage I could have something to say about compensation. The honorable member for Ivanhoe stated that public authorities in Victoria were not prepared to compensate owners for land acquired for public purposes as freely as authorities in New South Wales. I do not know whether the officials in Sydney are better or worse than those in Melbourne.

Mr. HOLLAND.—A Labor Government was in office when the relevant action was taken in Sydney.

Mr. TURNBULL.—That probably accounts for the situation. As the honorable member for Essendon has pointed out, it is all very well for the Board to pay compensation to the owner of a particular house.

Mr. BALFOUR (Minister of Lands).—Mr. Speaker, I raise a point of order. This Bill makes provision for the acquisition by the Melbourne and Metropolitan Board of Works of certain lands subject to the provisions of the Cultural and Recreational Lands Act 1963, but nowhere does it deal with the acquisition of private property. Although compensation is mentioned in clause 8——

Mr. TURNBULL.—Where is it mentioned?

Mr. BALFOUR.—Paragraph (*e*) states that where entry is made upon any lands pursuant to paragraph (*b*) or paragraph (*d*)—

(i) the Board shall on completion of the said construction works acquire by agreement or compulsorily in accordance with the provisions of the Melbourne and Metropolitan Board of Works Act 1958 the lands used in the said construction works but in the case of compulsory acquisition the Board shall not be required to comply with the provisions of section 232 of the said Act; and

(ii) for the purpose of determining compensation pursuant to the provisions of the Valuation of Land Act 1960 notice to treat shall be deemed to have been given on the date on which the Board entered into and upon such lands as aforesaid.

I submit that the question of compensation applies only to cultural and recreational lands and does not apply to the acquisition of private property for road purposes.

The SPEAKER (Sir William McDonald).—I take it that the Minister seeks to prohibit the honorable member for Brunswick West from discussing the generality of compensation on the ground that this Bill limits the payment of compensation to specific cases. I understand the Minister to say that there is a reference to the Cultural and Recreational Lands Act in clause 8, and that the only reference to compensation appears in sub-paragraph (ii) of paragraph (*e*) of the clause.

Mr. BALFOUR.—Paragraph (*e*) deals with the compulsory acquisition of and the payment for land.

The SPEAKER.—I should say that the Minister has made out a prima facie case in support of his point of order, but I shall hear the honorable member for Brunswick West.

Mr. TURNBULL (Brunswick West).—In Committee, the Chairman suggested that I raise the question of compensation at the third-reading stage.

The SPEAKER.—Is the honorable member for Brunswick West addressing himself to the point of order?

Mr. TURNBULL.—Yes, Mr. Speaker. I submit that I am at liberty to deal with the question of compensation for land acquired from private landowners as well as from public reserves. In support of my contention, I direct your attention Mr. Speaker, to the fifth recital in the preamble to the Bill, which reads—

And whereas the Melbourne and Metropolitan Board of Works proposes to construct a metropolitan main highway between Flemington-road and Mount Alexander-road in the city of Melbourne and a point

north of Greenbank-crescent in the city of Coburg and portions of the said reserved Crown lands are required in connexion therewith:

In order that the Board may construct the highway between Flemington-road and Mount Alexander-road, it will be necessary to acquire private land and, in respect of the acquisition of private land, the law is quite specific, namely, that the landowner whose property is taken must be compensated.

The SPEAKER (Sir William McDonald).—I am faced with a minor problem in regard to the point of order because earlier another member was permitted to speak at some length on this question. Unquestionably, the Minister's point of order is correct. Neither the honorable member for Brunswick West nor the previous speaker had any right to speak on this matter but, in view of the fact that I allowed one member to do so, I find it somewhat difficult to curtail another honorable member from doing so. In the circumstances, does the honorable member for Brunswick West feel that he has made his point?

Mr. TURNBULL.—Yes, Mr. Speaker.

The SPEAKER.—I invite the honorable member for Brunswick West to confine the remainder of his remarks to the subject-matter of the Bill.

Mr. TURNBULL (Brunswick West).—Very well, Mr. Speaker. So far as compensation is concerned, public authorities compensate landowners whose property has been acquired on the basis of market value. However, as the honorable member for Essendon stated, in effect, grave inconvenience is caused to property owners when, as a result of their property being acquired, they must comb the metropolitan area to obtain accommodation which is suitable for their requirements.

Mr. HOLLAND.—Frequently, at greater cost, too!

Mr. TURNBULL.—That is so. In this case, no fewer than 154 householders are involved, and they will be required to seek a suitable house on the real estate market. Naturally, if they wish to settle in an *élite* area such as Ivanhoe, it will be necessary for them to pay a good deal more for a home than if they settle in a middle-class area such as Pascoe-Vale.

Many of the properties in the vicinity of the freeway which will not be acquired will be located so close to the freeway that the owners will almost be able to water the freeway when they are watering their front lawns. Obviously, the value of their properties will depreciate because of the closeness of the freeway to them. The authorities have spoken with two voices on this important issue. On the one hand, the Board of Works has stated that it will compensate property owners in accordance with the Town and Country Planning Act; on the other hand, the Minister of Lands has stated that the only people who will receive compensation will be those whose properties are acquired. For the obvious reasons that I have enumerated, the Opposition will oppose the third reading of the Bill.

The House divided on the motion (Mr. Christie in the chair)—

Ayes	37
Noes	15
Majority for the motion ..	22

AYES.

Mr. Balfour	Mr. Porter
Mr. Birrell	Mr. Reid (*Box Hill*)
Sir Henry Bolte	Mr. Reid (*Dandenong*)
Mr. Borthwick	Mr. Rylah
Mr. Cochrane	Mr. Scanlan
Mr. Darcy	Mr. Stephen
Mr. Dixon	Mr. Stirling
Mr. Dunstan	Mr. Stokes
Mr. Evans (*Ballaarat North*)	Mr. Suggett
Mr. Hudson	Mr. Tanner
Sir Herbert Hyland	Mr. Taylor
Mr. Loxton	Mr. Trewin
Mr. McCabe	Mr. Wheeler
Mr. MacDonald (*Burwood*)	Mr. Whiting
Mr. McDonald (*Rodney*)	Mr. Wilcox
Mr. McLaren	Mr. Wiltshire.
Mr. Manson	*Tellers:*
Mr. Meagher	Mr. Gibbs
Mr. Phelan	Mr. Jona.

NOES.

Mr. Divers	Mr. Sutton
Mr. Floyd	Mr. Trezise
Mr. Ginifer	Mr. Turnbull
Mr. Holland	Mr. Wilkes.
Dr. Jenkins	
Mr. Lovegrove	
Mr. Mutton	*Tellers:*
Mr. Schintler	Mr. Fennessy
Mr. Stoneham	Mr. Wilton.

PAIRS.

Mr. Holden	Mr. Clarey
Mr. Mitchell	Mr. Ring
Mr. Rossiter	Mr. Holding.

The Bill was read a third time.

PUBLIC OFFICERS SALARIES AND ALLOWANCES BILL.

The debate (adjourned from March 2) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—This Bill will apply to public officers and employees the interim marginal increase that was granted by the Commonwealth Conciliation and Arbitration Commission in a decision dated 22nd December last. Needless to say, the Opposition has no desire to delay the passage of the Bill. As on previous occasions, the Premier and Treasurer stated that the period between the dates upon which the Public Service Board brought similar increases into effect and the date on which the Commonwealth Conciliation and Arbitration Commission decision became effective will be covered by means of an *ex gratia* payment.

The Bill will also cover a number of Government officers and employees who are exempt from the provisions of the Public Service Act. The Commonwealth decision increased from the first pay period commencing on or after 23rd January of this year, each margin in clause 4 of the Metal Trades Award by an amount of from 1 per cent. to 2½ per cent. of the sum of the six capital cities basic wage and that margin. The Opposition welcomes this measure and hopes it has a speedy passage.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 was verbally amended, and, as amended, adopted, as were the remaining clauses.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

STAMPS (AMENDMENT) BILL.

The debate (adjourned from February 28) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—This Bill seeks to amend the interpretation of "Credit Arrangement" in sub-section (1) of section 131AA of the Stamps Act 1958, as amended by the Stamps Act 1966. Honorable members will recall the sensational hostility that was displayed by the community generally towards the amending stamps legislation last year. On that occasion, although the Premier had stated that the purpose of the Bill was merely to close loopholes and to prevent the continued evasion of hire-purchase taxation by the adoption of new methods of documentation of credit arrangements, the Bill was found, in effect, to have far-reaching effects. There was widespread and vehement opposition to the measure from all sections of the community, including such business leaders as Sir Maurice Nathan, who is also a prominent member of the Liberal Party. I have before me a lengthy memorandum prepared by Sir Maurice Nathan in relation to the Stamps Act of 1966, in which he attacked it from every conceivable point of view.

When the Bill was being considered by this House, a large sheaf of amendments were made to the Bill, and when it went to another place it was further amended. This

is a good example of the confusion and indecision that attends the introduction of each measure by this Government.

In his second-reading speech on this Bill, the Premier had the audacity to say that the proposed amendment will meet all the objections that have been raised against this obnoxious and pernicious Act. The honorable gentleman said—

> The legislation has been the subject of some recent criticism which has been rather vague and general in its terms. Discussion with representatives of business, and business organizations,—

needless to say, he did not tell us what representatives of business and which particular organizations—

> has revealed that the criticism was based almost entirely on the aspect covered by this Bill, and the amendment will remove the basis of that criticism.

The Labor Party completely disagrees with that observation, and during the forthcoming State election campaign it intends to place the various issues involved in the stamps legislation before the people of this State. We have a pretty good idea in advance what their decision will be. Honorable members on the Government side of the House, if they are not already aware of it, will certainly be made aware of the deep hostility of the community in general towards this particular legislation. Under Act No. 7500, "credit arrangement" is defined as—

> any arrangement for the provision of credit in relation to the sale of goods or the provision of services where any amount in excess of the cash price is or may be—

whatever that may mean—

> charged for or in relation to the goods or services pursuant to the arrangement.

It is intended to amend that definition by inserting at the end of the interpretation the words—

> but does not include any arrangement if the only amount in excess of the cash price that is or may be chargeable is an amount that does not exceed the amount that would have been chargeable if the arrangement required the payment of interest at a simple annual rate of nine per centum per annum on the amount of credit provided under the arrangement and from time to time outstanding.

From a reading of the proposed amendment, it is obvious that the meaning of "credit arrangement" will still be obscure. Its obscurity has been one of the main criticisms of the legislation since its enactment, and whilst we admit that the Bill, so far as it goes, effects an improvement, we flatly deny that it proposes a major improvement. On the question of calculating just what the 9 per centum means, and how it will apply, the following comment has been forwarded to me by persons who are directly concerned in this matter:—

> One difficulty found with the new amendment is that interest rates on loans are normally found easily, but with "credit arrangements" the rate of interest can be very hard to fix. If nothing is charged for 30 or 60 days, how is the 9 per cent. calculated to find whether the whole transaction will be dutiable? Is an "interest" calculation done with 9 per cent. per annum from the date of sale, and then compared with the amount of interest and/or charges actually made, to find whether the transaction is dutiable? Who knows?
>
> Usually, interest starts when the amount outstanding at the end of a particular month has been unpaid for too long a time. Interest would in fact be charged only for the period after the period of grace had elapsed, so how is the average rate of interest found if—
>
> (*a*) the amount of the debt fluctuates; and
>
> (*b*) differing periods may elapse before interest starts; furthermore the transaction is dutiable according to a test applied when the transaction was entered into—and so many factors operate later that mathematical chaos is introduced.
>
> If a monthly account charge is made in connexion with running a charge account for customers, how can this be related to huge sales in, say, ten months of the year, and only token sales in a couple of months. The legislation says transactions are dutiable if the credit charge is or may be made (in excess of 9 per cent.) and in those two months the average rate of interest might be quite high on such meagre purchases. Is the whole arrangement caught? And if so, why, when over a twelve months period the charges might average out at only a couple of per cent.? Can one month's purchases (being small in relation to the fixed monthly account charge) bring down duty on the whole year's purchases?

In "credit arrangement" a test is applied to find out what would have been the interest rate had interest applied on the amount outstanding "from time to time". Obviously, this means "daily balance" interest—which means that if 9 per cent. is charged on the amount outstanding at the end of the preceding month, then the "average rate of interest" on a day-to-day basis would have been less, therefore charging 9 per cent. is not always safe. We should be shown in the Act exactly how to calculate whether or not any credit charge exceeds 9 per cent. per annum.

That is a question to which no answer will be supplied to-day. We do not expect one as replies are never forthcoming when vital issues are raised in relation to various Bills.

This proposed definition of "credit arrangement" has a particular relation to section 131AC of the Stamps Act as amended last year. Section 131AC provides, *inter alia*—

(1) A registered person shall not later than the twenty-first day of each calendar month—

(*a*) Forward to the Comptroller of Stamps a statement in the prescribed form and verified in the prescribed manner showing—

. . . . . .

(ix) the total of all amounts debited by him for the sale of goods or the provision of services during the last preceding month pursuant to a credit arrangement made by him under which credit in excess of $200 is or may be obtained less any amounts credited against amounts so debited in respect of goods returned or services not provided.

From a source completely different from that to which I have just referred, the following expert opinion has been supplied:—

The exemption of $200 in relation to credit arrangements loses much of its effect in view of the way in which it is expressed in the Act.

Section 131AC (1) (*a*) (iv) imposes duty upon amounts debited for the sale of goods or provision of services pursuant to a credit arrangement under which credit of $200 is or may be obtained.

The inclusion of the words "or may be" could avoid the application of the exemption to the common credit transaction under which no specific credit limit is imposed at the time of entering into the arrangement.

Mr. Stoneham.

For example, some companies have "all purpose charge accounts" under which customers may either pay the amount of their purchases within thirty days or extend payment over a maximum period of five months, in which case a service fee is added to the cash price.

Unless a credit limit of $200 were imposed upon all such accounts, and the practical undesirability of doing this is obvious, it could be argued that all purchases on such accounts, although never exceeding $200, would be dutiable because theoretically the amount of credit that may be obtained could exceed $200, yet all purchases under $200 are exempted if made pursuant to an immediate credit sale.

The relevant provision does not say that credit has been obtained. It says "or may be". What interpretation will the Comptroller of Stamps place on this? Business people are just as worried now as they were before the proposed amendment was introduced. Taking a generous and Christian view, the Opposition thinks it is possible that someone may gain some benefit from the Bill—good luck to them if they do—but its members are by no means certain of this. In any case, the Opposition avers that this is a trumpery amendment of a most vicious piece of legislation. The Opposition is not at all impressed by the remarks of the Premier and Treasurer in introducing the Bill. We do not think the honorable gentleman was sincere. Certainly we know that what he said was inaccurate and incorrect. Consequently, for what it is worth, at this stage we offer no opposition to the Bill. Certainly we shall fight the whole issue of the Stamps Act in the electorate.

Mr. PHELAN (Kara Kara).—The Country party supports this amending Bill. I believe measures amending the last Stamps Act will come before the House at regular intervals. When speaking on the original Bill, I stated that I believed it would eventually have to be scrapped and redrafted. However, in its usual form, the Government was not prepared to accept the advice of either novices or specialists. Cabinet approved of a Bill that was both vicious and

ineffective in the field in which it was to operate. The measure went far beyond the scope of the intentions stated by the Premier and Treasurer. I quote the honorable gentleman's introductory remarks—

> It will be remembered that the Stamps Act which was passed in the last sessional period of Parliament was designed to achieve two things. It reduced the rate of stamp duty on hire-purchase transactions from 2 per cent. to 1½ per cent., and at the same time it widened the scope of the legislation—

That was a gross misstatement. This ill-considered legislation went far beyond what the Government intended. If it did not do so, then I submit that this was an instance of deliberate deceit. At least the earlier Bill went beyond the intentions stated to the House by the Treasurer when he presented it. The first paragraph of the honorable gentleman's speech which I have just quoted continued—

> to bring within the dutiable field a wide variety of arrangements which were or could become alternatives to hire-purchase.

I do not believe any honorable member would not support the principle of bringing within the scope of the stamps legislation financial arrangements designed as an alternative to hire purchase with the object of reducing the amount of duty payable. I presume Cabinet considered the matter before it agreed to bring the Bill before the House and before even the proposed legislation was passed on to Liberal Party members. Cabinet has within its ranks five legally trained men, not counting yourself, Mr. Speaker.

Mr. JONA.—Do not hold that against them.

Mr. PHELAN.—I am conscious that some members of the Government do. I was being more charitable. I was prepared to say that the earlier Bill was a grave reflection on the sense of responsibility exercised by a Cabinet which, in addition to its legal members, possesses a galaxy of men considered to be highly qualified as accountants and business administrators. Yet Cabinet passed a shoddy measure for presentation to the House. I do not want to go over what occurred, but it is worth placing on the record that before the second-reading debate on the fifteen-page Stamps Bill was resumed a further four pages of amendments had been compiled. A further five pages of amendments were transmitted to this House from another place. Now, within a matter of weeks, another Bill to amend the earlier measure is before the House. If any Government can hold its head up, believing that the passage of that legislation reflects credit on it, it is time that the public did some fresh thinking on how the State is being mismanaged. I almost erroneously said, " managed ".

As I have said, my party supports the Bill because, with some little credit to it, apparently the Government—I suppose to keep itself busy—is trying to take the bugs out of the earlier legislation one by one. I believe that eventually the legislation will have to be redrafted. I have discussed a number of the situations involved. I believe that, in respect of sections of the legislation, neither the public who is supposed to operate under it nor the Comptroller of Stamps knows how the Act will be applied. From my own business point of view, unfortunately, I have had to make an approach to the Comptroller of Stamps.

The SPEAKER (Sir William McDonald).—Order! The honorable member is reflecting on legislation which has already received the assent of this House. He should confine his remarks to the subject-matter of the Bill now before the House.

Mr. PHELAN.—Thank you, Mr. Speaker. I was merely following up the Treasurer's statement when he reiterated, in his second-reading speech, the purpose of the Bill.

The SPEAKER.—To what part of the Treasurer's speech is the honorable member referring?

Mr. PHELAN.—To that part in which the Treasurer stated that the purpose of the amending Bill was to include a wide variety of arrangements.

The SPEAKER.—The honorable member will be in order as long as he adheres to the ambit of the debate, but he was ranging over a much wider area.

Mr. PHELAN.—The purpose of this amending Bill is to remove certain simple transactions from the wide variety covered by the earlier legislation. It deals with monthly accounts rendered by firms which, if they contain a notation to the effect that overdue accounts—ranging from 30 to 90 days over the due period—will bear interest above 9 per cent., will become liable to the payment of duty. The dangerous situation raised in the earlier measure flowed from the provision concerning registration. Obviously, the Government did not intend what is provided. I wish to know how the Government will apply the conditions of the Act in which it foolishly, in my opinion, provided that if registration was not made by a certain date a penalty of $5,000 would be incurred. There must be thousands of people concerned.

Mr. PORTER.—Where does this appear in the Bill?

Mr. PHELAN.—This is the clause to exempt them from that section of the earlier legislation.

The SPEAKER.—Where is it contained in the Bill before the House?

Mr. PHELAN.—It says—

> At the end of the interpretation of "Credit arrangement" in sub-section (1) of section 131AA of the principal Act there shall be inserted . . . .

This is the credit arrangement.

The SPEAKER.—I think I have been fair to the honorable member. He is in order only when he is discussing the Bill before the House. I suggest that he model his speech on that of the Leader of the Opposition, who kept strictly to the point.

Mr. PHELAN.—Mr. Speaker, I appreciate your suggestion but, with great respect to the Leader of the Opposition, he read a speech prepared by someone who had knowledge beyond the honorable member's scope in this field.

Honorable members interjecting.

In amending section 131AA of the principal Act, it is obvious that the Bill provides that anyone who comes within the scope of the section must register. Failure to register is subject to a fine of $5,000. The point is that the date fixed is long past. Now there is an amendment before the House which exempts people who, by interpretation, were caught in the net, although apparently this was not intended by the Government. This was due to the looseness of the drafting of the legislation. At least the passage of this Bill will do a little towards bringing some semblance of order into the chaos that the ill-considered earlier Act has created.

Mr. TURNBULL (Brunswick West).—This Bill amends the Stamps Act. The last amending measure was introduced because it was considered that a lot of taxpayers were not paying the amount of tax that they should be contributing under the stamps legislation. Opposition members opposed the earlier Bill, including the provisions that are being amended by the present measure. We pointed out that the earlier Bill did much mischief and contained an element of harshness, which this Bill will alleviate in some respects. This Bill and the section of the principal Act which it amends deal with transactions, and it is impracticable to tax transactions under the Stamps Act because this legislation relates to instruments and documents. A credit arrangement is a necessary part of credit business, and people solely engaged in that type of business would regard the tax as an income

tax. The Stamps Act 1966 contained these definitions—

"Credit business" means the business of making loans or entering into credit arrangements or discount transactions but does not include—

. . . . . .

"Credit arrangement" means any arrangement for the provision of credit in relation to the sale of goods or the provision of services where any amount in excess of the cash price is or may be charged for in relation to the goods or services pursuant to the arrangement.

Lawyers will have great difficulty in interpreting the expression "is or may be" in that definition. There are various references to an interest rate of 9 per cent.

"Loan" includes—

. . . . . .

but does not include any loan advance payment for bearers or transaction at a rate of interest not exceeding 9 per cent. per annum.

Sub-section (4) of section 131AA of the Act refers to the transactions of credit business with the State Savings Bank of Victoria or with any bank defined in section 5 of the Commonwealth Banking Act 1959, and again refers to an interest rate of 9 per cent. Sub-paragraph (ix) of paragraph (*a*) of sub-section (1) of section 131AC of the Stamps Act provides that no tax is payable in respect of credit up to an amount of $200, and again the words, "is or may be" appear.

The Opposition bitterly opposed the passage of the Stamps Act 1966, but it is forced to agree to this amending Bill because it will alleviate some of the mischief caused by that Act. Clause 2 of the Bill provides—

At the end of the interpretation of "Credit arrangement" in sub-section (1) of section 131AA of the principal Act there shall be inserted the words "but does not include any arrangement if the only amount in excess of the cash price that is or may be chargeable is an amount that does not exceed the amount that would have been chargeable if the arrangement required the payment of interest at a simple annual rate of nine per centum per annum on the amount of credit provided under the arrangement and from time to time outstanding."

This clause applies to interest charged on unpaid accounts; it also applies when a trader has two prices, one a cash price and the other a credit price. Tax must be paid only if the difference between those prices represents an amount equivalent to 9 per cent. interest. Quite erroneously in my opinion, creditors charge interest on outstanding accounts, although no arrangement for the charging of interest has been made with the debtor. No person is entitled to charge interest unless there is a contract providing for interest to be charged. A court may order the payment of interest.

I do not know why the figure of 9 per cent. was seized upon as the proper figure in the principal Act. I agree that 9 per cent. is too high a rate of interest to be charged, but if the Government desires to deter people from charging excess rates of interest, it should be bold enough to fix a permissible rate. Traders will not themselves bear the cost of the tax. They well regard it as an item in overhead costs and pass it on to the purchaser.

In the main, the people who are obliged to use credit arrangements and buy goods on lay-by and under similar arrangements are the poorer people. It is the man with a large family, the man from Brunswick, Fitzroy, or other inner suburb, not the squatter in the Western District, who will have to pay this impost. The squatter has a current account with his wool firm and the conduct of business between creditor and debtor is most gracious. If an account is not paid on the due date, creditors in the city erroneously believe they have the right to charge interest. The Government would do better to take a stick, as it were, to people conducting business on those lines than to introduce this type of legislation. It is the unfortunate masses who ultimately pay what is a type of income tax on the business operator.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

WATER (AMENDMENT) BILL (No. 2).

The debate (adjourned from February 22) on the motion of Mr. Darcy (Minister of Water Supply) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—This Bill proposes a number of disconnected amendments to the principal Act. The most important amendment extends for four years the operation of the formulae in respect of extra water rights. Clause 2 provides, *inter alia*—

(1) In sub-section (1) of section 65AB of the principal Act for the expression "the first day of July, 1967" there shall be substituted the expression "the 1st day of July, 1971".

Section 65AB of the principal Act provides that the State Rivers and Water Supply Commission may, in apropriate circumstances, apportion extra water rights to lands in irrigation districts and areas in quantities which it considers necessary for the reasonable irrigation of such land. As the Minister admitted in his speech, there is scope for argument on the meaning of the term "reasonable irrigation", but the results of inquiries I have made indicate that water users do not object to the continuation of the amended formulae.

Mr. STIRLING.—There are some objections.

Mr. STONEHAM.—If there are, they are not of a major nature. However, if the Minister is prepared to take steps to improve the position, the Labor Party will not oppose his doing so. The next most important provision in the Bill confers power on the Commission in relation to the discharge of saline matter into works or water courses. Clause 5 provides, *inter alia*—

After section 379 of the principal Act there shall be inserted the following section:—

"379AA. (1) Unless special permission for so doing has been given in writing by the Commission pursuant to sub-section (3), any person who discharges or causes or permits to be discharged any saline matter (whether in liquid or other form)—

(*a*) into any works under the control of the Commission;

(*b*) into any watercourse;

(*c*) on to any place from which the saline matter could enter into any such works or any watercourse—

in contravention of any by-law made by the Commission pursuant to sub-section (2) shall be guilty of an offence and liable to a penalty of not more than $100 and a further sum of not more than $40 for each day (if more than one) that such offence continues.

Honorable members will agree that it is a good thing that, at last, the problem of salinity is to be tackled. Frequent reports have been issued on the gravity of this problem. I am not saying that the difficulty does not assume serious proportions in other parts of the State, but it is a particularly live issue in the Mildura district, where the future security of many persons is jeopardized by the growing menace of salt. It is good news that the Government intends to tackle the problem. The Minister's explanatory second-reading speech did not disclose what the Government proposes in this respect, and I should like the Minister to indicate what action the Government intends to take.

The other amendments contained in the Bill are of minor importance, although no doubt the final provision in the Bill—clause 7—is of importance to the persons affected by the proposed reduction of amounts owed by waterworks trusts to the Treasurer. The list of trusts concerned is set out in table A and table B at the end of the Bill. Needless to say, the reductions of indebtedness are of importance to the people concerned with those waterworks trusts. I am pleased to learn that the Minister is considering an improvement to the first provision to which I referred; otherwise, the Opposition has no objection to the Bill being afforded a speedy passage.

Mr. STIRLING (Swan Hill).—This Bill proposes to extend for a further four years—up to 1971—a series of formulae which govern the extra water rights available to properties in the State Rivers and Water Supply Commission's irrigation districts. The original formulae were introduced in 1964, and were not entirely satisfactory. In the intervening period, endeavours have been made to have the formulae amended to improve the lot of those persons who were badly treated.

It has been pointed out that a four-year period is too long and that many people will suffer hardship for too long. It is considered that the period should be limited to three years, that is, to the 1st July, 1970, at which time the position could be reviewed in the light of additional water available. It may then be possible to increase the water rights of some persons who are at present on short rations. I hope the Minister will agree to limit the period to the 1st July, 1970, because certain persons who are adversely affected are not receiving adequate quantities of water.

Recently, it became Government policy that the amount of water made available should equal 2 acre-feet per acre. Many people have taken this view for a number of years, although the formulae which are being extended under this Bill do not provide for a supply of anywhere near that quantity of water. The Government stated that it was prepared to grant the Cohn–McCarthy group the equivalent of 2 acre-feet per acre. Therefore, I presume that this is now Government policy.

The Government is responsible for ensuring that sufficient water storages are constructed to make provision for adequate supplies of water for irrigation purposes. The formulae which are the subject of this Bill provide that properties of up to 40 acres receive only $1\frac{3}{4}$ acre-feet per acre. I point out that this land requires the application of a considerable quantity of water. The next group of properties—those of from 40 to 100 acres—receive only an additional 1 acre-foot per acre for every acre in excess of 40, so that a person with 100 acres of land receives only 130 acre-feet of water. I am concerned at the position of the owner of 150 acres of land. For the 50 acres in excess of 100, he receives only 4 acre-feet of water, which is a very small ration.

A property of 200 acres is usually not as good as a 100-acre property and therefore requires additional water; the land does not attain the same production from the application of an acre-foot of water. A property owner in this category has to irrigate more frequently; his land is usually in a high water table area where it is not possible to grow subterranean clover, and therefore he cannot manage to irrigate 50 acres with 4 acre-feet. The person with 200 acres of land could not carry on with only 8 acre-feet of water. Therefore, endeavours have been made to get the State Rivers and Water Supply Commission and the Minister to agree to extend the life of these formulae for three years instead of four years. I have no doubt that, in the intervening period, further storages will be constructed which will make it possible to extend the existing water rights.

I wish to stress that the persons who own between 100 acres and 220 acres of land are operating under great difficulties and should be afforded immediate relief. It was hoped that this measure would give that relief, and suggestions were made by me and other persons as to how the formulae could be altered. The State Rivers and Water Supply Commission considered that to provide assistance on a minor scale to persons who own between 100 and 220 acres of land would require the granting of additional water rights amounting to 70,000 acre-feet. I believe that amount of water could be made available if additional storages were constructed. The

Buffalo high dam and Chowilla reservoir which are under construction should be completed as quickly as possible so that water rights may be increased by perhaps 30 per cent. This would go a long way towards providing for the reasonable requirements of irrigators.

I consider that the provision of additional water storages is urgent. As recently as the last Federal election campaign, a statement was made to the effect that the Commonwealth Government intended to make money available to the States for the construction of water storages. This money should enable the construction of the Buffalo high dam to be completed and for further urgent storages to be planned. I believe additional storages could be constructed above many existing storages so that additional water could be made available to bring about a reasonable allocation of water rights. It is useless for anyone to assert that no additional storage sites are available or that new storages should not be constructed, because the State Rivers and Water Supply Commission has stated that, in the period between the 1st October and 24th October, 1966, a total volume of 437,000 acre-feet of water flowed past Swan Hill in the River Murray.

The sitting was suspended at 6.30 *p.m. until* 8.12 *p.m.*

Mr. STIRLING.—Earlier in the year when the flow was small and the water in the Hume weir was at a low level, everyone was greatly concerned. Between 1st and 24th October, 1966, Lake Victoria was full, and it was impossible to store the water that was flowing past Swan Hill. In addition, between 15th and 19th October, when the rain came, water had to be released from the Hume weir because it could not be stored there, but the biggest proportion of this water flowing down the River Murray was coming from the tributaries in Victoria below the Hume weir. It is most important and urgent that serious consideration should be given to the construction of additional storages both below and above the Hume weir. Because of the cool climate experienced in Victoria, there is little loss from evaporation when water is retained in deep storages. That water could be stored without much loss and utilized in a dry period when the State was badly in need of it.

Australia is the driest continent in the world; consequently, as much water as possible must be conserved. When the Chowilla reservoir is constructed, it will hold a large volume of water, but that storage will be shallow; it will be situated in an area in which there is a hot climate, and the rate of evaporation will be high. Because of the small quantity of water that is available in this State, storages should be built wherever possible.

The SPEAKER (Sir William McDonald).—Order! The remarks of the honorable member are of great interest to me and I am sure to other members of the House, and I do not want to interrupt him, but I should like to know whether his remarks are germane to the Bill, and, if so, to which clause.

Mr. STIRLING.—I refer to clause 2, which provides for the extension of the current extra water right formulae for a further four years, until 1971. Before the suspension of the sitting for dinner, I contended that the proposed extension for four years was too long because the formulae do not provide for adequate water rights. It has been stated that an extension until 1971 has been sought on the grounds that by that time it is hoped that additional storages will be built and that it will be possible satisfactorily to revise the 1964 formulae. However, if increased water supplies do not become available, the extension will not mean anything.

In deciding to seek an extension, I think the Minister and the State Rivers and Water Supply Commission

have given a great deal of consideration to the points that I have been making. Definite action must be taken in the immediate future, and if satisfactory results are achieved I believe that before 1971 sufficient water will be available to permit an alteration to be made to the formulae. When the formulae are altered, careful consideration must be given to the amount of water that will be available and the manner in which it is to be used. I have asked that the formulae should be extended only until 1970, but even if they are extended until 1971, planning must be undertaken immediately, because water cannot be allowed to run to waste.

In his second-reading speech, the Minister referred to this aspect and stated that in the not far distant future water from the Snowy-Murray hydro-electric scheme would enter the Hume reservoir. Review of the formulae is to some extent dependent upon this becoming an accomplished fact. I emphasize that further storages should be constructed as soon as possible. The 1964 formulae are inadequate and everybody concerned, including the Minister, desires that, at the earliest possible moment, water rights, which to-day are inadequate, should be increased.

Mr. FENNESSY.—Do you advocate the completion of the Buffalo high dam as quickly as possible?

Mr. STIRLING.—When completed, that reservoir will hold 1,000,000 acre-feet of water. After investigating that project, the Public Works Committee recommended that, when completed, it should hold water as a safety valve for the very reason that I am putting forward. The construction of this reservoir constitutes one reason why the Minister and the Commission have sought an extension of time before the formulae are reviewed. In a policy speech, the Federal Government promised that money would be provided for water conservation, and I hope the Minister will try to have those funds made available as soon as possible so that work can be proceeded with.

The water that Victoria will receive from the Snowy-Murray hydro-electric scheme will not be as valuable as will be the water received from the Buffalo high dam. Victoria will receive only between 240,000 and 260,000 acre-feet from the Snowy-Murray scheme and that is not a great deal; in fact, it is a small amount compared with the 1,000,000 acre-feet that New South Wales will receive. Victorian irrigators whose supplies of water have been rationed for a long time have a cogent case. An alteration in the formulae should have been made by now; it should not be necessary to wait for three years.

Something should be done at this juncture, even in a small way, to improve the position of irrigators who hold between 100 and 200 acres of land. I do not see why an alteration could not have been made in the formulae even if they were amended to provide only an additional water right that would give the irrigators a priority in sales. If that had been done, there would have been no need for these formulae to be continued for three years. However, that will not be all, as I consider that the supplies to the irrigators will need to be increased by 30 per cent.

I hope the Minister will make a full explanation of the prospects regarding the construction of additional storages in Victoria and that he will state where they will be situated, how much water they will hold, and when it is expected that they will be completed. I hope, too, the Minister will give an assurance that the extra water right formulae will be extended not until 1971 but only until 1970.

The Bill contains a reference to irrigators along the Waranga western channel. These people are not new irrigators. Landowners who have obtained water from that channel and

others west of Boort have had a sales quota of water for many years, but they have never had a water right. They have been water users for a long time, and this Bill provides that they shall have a water right equal to what their sales quota has been. This is what they sought, a promise was made to them, and that promise is now being fulfilled. Although they will not come within the terms of the 1964 formulae, I understand that most of them are happy with the position.

One of the amendments proposed by the Bill to the principal Act will enable the State Rivers and Water Supply Commission to make by-laws to control the salinity standard of water introduced into its channels, drains or watercourses. Salinity has become a serious problem for irrigators and for people who have to use water that has been drained from irrigation areas. If irrigation is to be continued successfully, proper drainge is essential. This has been proved not only in Victoria but elsewhere throughout the world.

When irrigation projects were established at the beginning of the first world war and water rights were granted, the irrigators did not know much about the subject. They did not know how to utilize water efficiently or even how to lay out the land for irrigation—nor, may I say, did the State Rivers and Water Supply Commission. Since then, all concerned have learned much; one of the most important lessons that have been learned is that adequate drainage is essential. At present, drainage water flows into the River Murray and that drainage water has a high salt content. At certain times of the year, the degree of salinity rises to a high point, and it is dangerous for this water to be used to irrigate citrus trees and vines. A great deal of damage has been caused by saline water, and the problem has caused much concern to the Minister and to the Commission.

The area of land under irrigation that is being drained is extending each year. Because of the extra water that New South Wales will receive from the Snowy Mountains scheme, large areas of that State will be placed under concentrated irrigation, and adequate drainage of the land will be essential. It appears that the only place in which the drainage water can be deposited is the River Murray, so it is necessary for those concerned to deal with this serious problem as a matter of urgency.

Under clause 5, which amends section 379 of the principal Act, a penalty of $100 will be imposed on any person who discharges saline water into works or watercourses. An additional penalty of $40 for each day that the offence continues is also prescribed. I hope that during the Committee stage the Minister of Water Supply will explain to honorable members how far the Government is prepared to go in implementing these provisions. I have been in areas where bores have been put down and the water that has been pumped from beneath the surface of the ground has had more solid matter in it than sea water. Early action should be taken to protect the irrigators from the problems which can arise as a result of the use of underground water and drainage water.

Mr. FENNESSY.—What do you suggest as an alternative?

Mr. STIRLING.—Possibly, the alternative procedure which would help to overcome the problem will not be implemented while I am a member of this House. There are plenty of places to which the water in question could be diverted, but, of course, the cost involved would be tremendous. Although a certain quantity of water would be lost, it should be appreciated that drainage water can be used successfully on permanent pastures. In fact, landowners are, to an increasing extent,

utilizing drainage water from drainage channels. Frequently, this water is mixed with irrigation water, and it is being used on pastures with excellent results. To date no damage has been caused by this practice and it produces revenue for the Commission which charges 50 cents an acre-foot for the water, which is supposed to be dangerous water.

Australia is one of the driest continents in the world. Consequently, wherever possible, drainage water should be utilized in primary production. I do not know how much drainage water is available, but I should not be surprised if it amounted to 70,000 acre-feet, which is the quantity of water which was estimated would provide relief to landowners who are working holdings of between 100 and 200 acres. How long must we continue to allow this damage to be caused without finding a solution to the problem?

Just as sea water is now being treated to enable it to be used by the community, so also at some distant date a method will be evolved whereby it will be possible to remove the solids from drainage water, and possibly from underground water, at a relatively low cost. I understand that the by-laws to which the Minister of Water Supply referred in his second-reading speech will apply to underground water. Not only the Government, but also the State Rivers and Water Supply Commission and the irrigators must give serious consideration to means of overcoming the problem to which I have directed attention. The problem is also causing a great deal of concern in South Australia.

Mr. FENNESSY.—And in New South Wales.

Mr. STIRLING.—I agree, and it will become intensified in New South Wales with the expansion of irrigation activity. The Commonwealth Government, through the River Murray Commission, is also interested in the problem. If the Commonwealth can provide scientific assistance towards combating the problem, it should also be prepared to provide financial assistance and, no doubt, at some stage, a method will be found of utilizing most of this water rather than taking it away from the landholders. This serious problem deserves sober consideration.

I trust that the Minister of Water Supply will inform the House how far he expects to be able to deal with the salinity problem, how far the Government intends to proceed with investigations into the problem, and how soon action will be taken. I hope the honorable gentleman will agree to an extension of the formulae only until 1970, and that he will give an assurance that, in the meantime, speedy action will be taken to increase our water storages so that by the 1st July, 1970, sufficient water will be available to increase water rights in Victoria to somewhere near what is claimed to be the Government's policy to-day of providing 2 acre-feet of water for each 1 acre of land. I hope that by 1970 this problem will be solved.

Mr. CHRISTIE.—And that there will be no further waste of water.

Mr. STIRLING.—Owing to the shortage of water to-day, irrigators do not waste one-twentieth of the amount of water that is wasted in the City of Melbourne to-day. The irrigators have certainly done something to overcome the serious waste of water.

Mr. WHITING (Mildura).—The question of the extension of the 1966 formulae until 1970 has been adequately covered by the honorable member for Swan Hill. I agree with the view that has been expressed by some members of the State Rivers and Water Supply Commission that there is a danger of over-commitment of water in Victoria. Whilst honorable members can appreciate that some problems could be associated with an increase in the water rights at present available to irrigators, particularly in the Goulburn-Murray

section of the State, it is essential that water rights should be increased at the earliest moment. I support the comments of my colleague in this regard.

It is interesting to study the trend that is noticeable in regard to the disposal of drainage water into the River Murray. I represent an area from Robinvale downstream to the South Australian border which produces large quantities of primary produce, and I am aware that the problem is particularly acute, especially in view of the fact that virtually the whole of the drainage water from the Goulbourn-Murray area and through the Torrumbarry system goes back into the River Murray. Additionally, just above Boundary Bend, the Murrumbidgee river enters the River Murray, and, with considerable areas under rice production in New South Wales, large quantities of saline water enter the river and must be used by irrigators downstream from that point.

With the completion of the Chowilla reservoir, much of South Australia's water requirements will be stored there, with the result that, in years of low rainfall, only small quantities of water would need to be released from the Victorian storages above Mildura. With the influx of drainage water, when there are only small quantities of fresh water available, the high percentage of soluble solids can cause serious damage to the primary crops planted in those areas. Anything over 500 parts per 1,000,000 of total dissolved solids is practically toxic to citrus crops and dangerous to vine crops. The growers in that area are concerned that the salinity will increase after the Chowilla dam has been filled.

Clause 5 of the Bill, which amends section 379 of the principal Act, creates a penalty for discharging saline water into any waterworks or watercourse under the control of the State Rivers and Water Supply Commission, and certain penalties have been prescribed in an endeavour to prevent offences of this type.

Mr. CHRISTIE.—Where do you suggest the water should be put?

Mr. WHITING.—The honorable member for Ivanhoe has had a good deal of experience in the Kerang and Torrumbarry areas. In my view, there are two possible solutions to the problem. Some honorable members will know that large quantities of commercial salt are available from Lake Tyrrell and, as this area has only a slightly higher elevation than the River Murray area, it is feasible that drainage water could be taken to this point. It would mean that the water would have to be pumped over a distance of approximately 40 miles. It would be a costly operation, but any solution to the salinity problem would prove expensive. The alternative solution is to do what I am informed on good authority is done in Israel, where the streams are divided into two sections, one consisting of fresh water and the other of water of lower quality, such as drainage or sullage water.

Again, this would be most expensive, and it might be many years before it could be applied in Victoria, but present-day trends necessitate some action along these lines. It is interesting to note the steps that are being taken by the State Rivers and Water Supply Commission to prevent people from pumping the highly saline water from the drift, which is situated some 20 to 60 feet below the surface of the ground, and which some irrigators have found convenient to pump into the streams and so lower the water table on their own properties. Subsection (1) of proposed new section 379AA provides that unless they have special permission, landowners shall not continue this practice. It may be necessary in certain circumstances to permit this to be done, but the volume of saline water being put into the River Murray must be reduced as quickly as possible.

The chairman of the State Rivers and Water Supply Commission has supplied a draft of a possible by-law to prevent ground water containing

more than 1,000 parts per 1,000,000 of dissolved solids from being discharged into a watercourse. Whilst this is a good start, consideration will have to be given to lowering this limit, because quantities of 700 parts per 1,000,000 can be dangerous in periods of low flow in the River Murray. It must not be thought that this is the end of the problem; I believe it is only the beginning and that much more will have to be done.

In addition to salinity, another problem occurs when other solids are dissolved. Vines are susceptible to boron, and there is a problem with what is called "boron excess", which occurs largely through drainage water being allowed into a watercourse. Another problem is caused by the excessive inflow of fertilizers in the drainage water. This stimulates weed growth, and the weeds use the oxygen in the water. It has been reliably stated that this has had a considerable effect on the diminishing number of fish available for amateur and professional anglers who fish in the River Murray.

Under sub-section (3) of proposed new section 379AA, the Commission is given the power to grant permission, subject to such terms and conditions, including charges, as it sees fit, for any discharge which would otherwise be unlawful. A difficult situation arises where it is necessary to provide for charges to be made for discharging drainage water. Encouragement should be given to channelling drainage water into evaporative basins along the river, as is being done in some parts. Irrigators should be encouraged to do this, rather than be charged for discharging drainage water. If this were done, the problem might be alleviated to some degree.

Under clause 7, it is proposed to reduce the amounts owed by waterworks trusts to the Treasury. This should be encouraged because waterworks trusts in country districts are essential to the health of the community. Whilst some cannot be operated economically, any provision that can be made to alleviate their heavy debt burden should be applauded.

Mr. R. S. L. McDONALD (Rodney).—I support the remarks of the honorable members for Swan Hill and Mildura. This small Bill re-enacts the 1964 water rights formulae and extends their period of operation until 1971. It was hoped that the period would be extended only until 1970 because, if the storages are in the same position in 1970 as they are to-day, there will be more water coming in from the Snowy scheme and the new Buffalo dam, which should enable increased water rights to be granted to irrigators.

The 1964 formulae adversely affected members of Goulburn-Waranga Water Users League and the Torrumbarry System Water Users Association, which function in old irrigation districts. The 1964 Water Act provides that if a man has a 300-acre farm, he is entitled to 130 acre-feet of water for the first 100 acres, plus 1 acre-foot per every additional 12 acres up to 220 acres, plus 1 acre-foot for every additional 3 acres above that acreage. A man with 300 acres and three separate entries in the register receives three water rights and obtains 130 acre-feet for each 100 acres of ground. This was definitely an anomaly and worked mainly against the members of the old irrigation districts.

There has been an improvement in the efficiency of the water Commission over the years. A comparison of the deliveries of water to irrigators in 1966-67 with those in 1956-57 indicates that they have more than doubled. In 1956-57, the efficiency was 40 per cent.; it rose to 50 per cent.; and it is now up to 60 per cent., and is improving all the time. This improved efficiency makes more and more water available.

One cannot lose sight of the fact that the Division of State Development recommended that the Cohn-McCarthy project at Swan Hill should

be granted 2 acre-feet of water per acre. This is the first such allocation, and it indicates the necessity for such an allocation to enable intensive cultivation to be undertaken on farm properties. It establishes a precedent. Under the 1964 formulae, 40-acre holdings received 70 acre-feet of water; 80 acres, 120 acre-feet; 100 acres, 130 acre-feet; 160 acres, 135 acre-feet; 200 acres, 138½ acre-feet; and 220 acres, 140 acre-feet.

Mr. CHRISTIE.—That is adequate.

Mr. R. S. L. McDONALD.—It is not adequate because, in many cases, the activities of farmers are restricted. The honorable member for Ivanhoe should get out on the farm in a dry year and see how far the water will go. He is probably using more than that to keep his lawn alive.

Mr. CHRISTIE.—We are doing it with sprinklers; that is the point I am making.

Mr. R. S. L. McDONALD.—The honorable member is very lucky to be able to do that. The precedent of granting 2 acre-feet of water per acre has been established by this Government. The irrigationists ought to be on a par with those running the Cohn-McCarthy project. The Minister of Water Supply admits that anomalies occurred under the 1964 formulae because they committed the State Rivers and Water Supply Commission to an extra 200,000 acre-feet of water, and prevented the Commission from giving any relief to anyone in the 100 to 200 acre group; the formulae prohibited the Commission from allocating extra water.

The honorable member for Swan Hill stated that irrigationists needed a 30 per cent. increase in their water rights. At the present time, the irrigationists generally are using 130 per cent. of their water rights allocation, and some of them are using as much as 165 per cent. to keep their farms in operation. Despite the comments of the honorable member for Ivanhoe, this fact has been published in the press. That is not the over-all position, because some are taking only 117 per cent. of their water rights this year.

Under the formulae which are being re-enacted by this Bill, the Commission is guaranteeing irrigationists 70 per cent. of their water rights. The Commission has said that it hopes to be in a position to guarantee 100 per cent. of water rights by 1971. It must be appreciated that if those in the 100 to 200 acre group are assisted, the Commission could be over-committed to such a degree that the water supply to all irrigationists in the State could be jeopardized. The irrigationists believe that, in the interests of others, they must comply with the requests of the Commission, which knows what amount of water is coming in.

The fact that water will be flowing from the Snowy Mountains scheme, and other storages, must not be lost sight of, but the construction of further water storages is necessary. I have said before, and I repeat, that if some of the personnel from the Snowy Mountains Hydro-electric Authority were put on to this job, extra dams and storages could be built in a short period of time. However, these storages can be constructed only if the Commission has the money to allocate for the project. On 20th September, 1966, in reply to a question on details of loan allocations, the Minister of Water Supply said that in 1954-55 the Commission spent $16,000,000 and that in 1966-67 $14,000,000 had been allocated. With the rises in costs, it cannot be expected that all the works will be carried out.

Mr. CHRISTIE.—The money is provided by the people of Victoria.

Mr. R. S. L. McDONALD.—They get it back from the Commonwealth. The produce of the irrigation areas of Victoria is probably one of the greatest money earners of the Commonwealth. These factors concern the development of irrigation. Hundreds of thousands of dollars have

been spent on other projects which are not as important to the State as irrigation and drainage schemes. The irrigation areas have kept the State affluent for years. Therefore, we should keep irrigation going in the interests of the State as a whole.

Mr. STEPHEN.—That is a large claim.

Mr. R. S. L. McDONALD.—The honorable member can refute it if he wants to, but he will need facts and figures to do so. If he has any doubt about the matter, he should ask the Deputy Prime Minister what is the value of the primary producers to Australia. Victoria is one of the most highly-developed irrigation States in the Commonwealth. If the water was available, more land settlement could take place, but this cannot be done without water.

Mr. CHRISTIE.—Do you make proper use of the water?

Mr. R. S. L. McDONALD.—The honorable member for Ivanhoe knows so much about water that it is a wonder that he is not a successful irrigationist. The Government has set a precedent by giving a special allocation to the Cohn-McCarthy group. we hope it will continue to stand by its decision. I should like the Minister of Water Supply to bring the review back to 1970, because if our storages are then in a position to help some of these people, they should receive assistance. We should not procrastinate and say that we cannot do anything until 1971.

Country Party members do not like supporting this Bill, but have no option but to do so because we do not want to put other irrigationists in jeopardy by their not having sufficient water to cover their activities in a dry year, which could be catastrophic for the whole State. In the circumstances, we support the Bill, but only because we believe it is right not to jeopardize the other irrigationists. I should like the Minister also to furnish advice concerning salinity building up in the River Murray. I know that it is proposed to introduce a by-law under the measure to cover drainage water from the underground water that is being pumped. The water has to go somewhere or some effort must be made to store it. It has been used on pastures and mixed with irrigation water. Probably 70,000 acre-feet of this water is being utilized by irrigationists on pastures at the present time. It is detrimental to citrus trees and vines. If we are to hold the South Australian supply for a while this will hold up the salinity in dry years. In normal years, the Chowilla reservoir can be flushed without any trouble. There will be more water from the Snowy scheme to increase the irrigation on the New South Wales side. More water will be released into the Murray, which will end up in the Chowilla dam. In conclusion, I urge the Minister to bring the review forward to 1970 instead of 1971, and to inform honorable members what the proposed by-law will do.

Mr. CHRISTIE (Ivanhoe).—I have been provoked into joining in this Country Party field day. The point I have been endeavouring to make by interjection is that members of the Country Party, whose speeches will read so well up north, should lead the people, their constituents and the State Rivers and Water Supply Commission in the proper use of our most precious natural resource—water. There is a terrific waste of water in the irrigation systems adopted in this State. The ancient Assyrians irrigated in a better fashion than we do to-day. We do not know how to irrigate properly. We use and waste a tremendous amount of water. If we properly applied and controlled this water for flow irrigation and spray irrigation, instead of sloshing it over in flood irrigation, ten times the present area could be adequately irrigated. If the honorable member for Mildura who is demurring works out the figures, he will realize that what I have said is true.

When one considers the great loss in channels and by evaporation thoughout the State, one realizes that instead of talking about storages it is time the State talked about piping. This could save more water than any of these multi-million dollar capital cost storages. A lot of the storages bring about a high water table and create a salt problem, especially down the river storages, as members of the Country Party well know.

I have only one other comment to make to the marathon speaker from Swan Hill. By interjection, I referred to wasting less water. If there is any place where water is being wasted in a shocking fashion it is in the Torrumbarry system. The salting in that system is very well known. There were the usual Country Party jibes at the city. Goodness knows, I have no brief for the city, but I have a brief for people and there are 2,000,000 of them here. They are a mighty fine market for the members who happen to be on the cross benches on the Government side of the House at this time. If everyone of the 2,000,000 people in this city wasted one gallon of water per day, the total waste would be 8 acre-feet —enough water for 4 acres of land.

Mr. B. J. EVANS.—It is more than one gallon that is wasted.

Mr. CHRISTIE.—If we make it two gallons it would amount to 16 acre-feet. This is the type of ignorance displayed in opposition to the city, the magnificent market of the country.

Mr. McCABE.—It reads well in the *Countryman*.

Mr. CHRISTIE.—We know this. Why do members of the Country party not grow up and give a lead to their constituents, and through them to the State Rivers and Water Supply Commission?

Mr. B. J. EVANS.—You are a member of the Government party. Why do you not give a lead to the Commission?

Mr. CHRISTIE.—After all, one can only offer suggestions from the back bench. It may take eight or ten years to seep in. The amount of water sloshed on the land in the irrigation areas of Victoria is nearly 2,000,000 acre-feet a year. The honorable member for Swan Hill had a crack at the waste of water in the city, which might amount to eight or sixteen or 32 acre-feet a day. That is the sort of ignorance that exists. This is the point and I say it again: It is time that the water Commission and those who are so concerned about putting water into the country, financed by the people of this State, examined the matter themselves. In the city, the people pay heavily in providing finance to bring water to the country. I do not object to that nor does anyone else, but the water ought to be properly used.

Instead of thinking of storages, we should be thinking of saving water and not wasting it. That is the point I make to the honorable member for Swan Hill. After irrigation, one cannot drive down some of the roads in his electorate because everybody's water is running from one paddock to the next. One can go into properties at Shepparton where the greatest problem of the irrigator is to get rid of his neighbour's water. Yet country people say they do not waste water! Members of the Country party assert that there is no waste and that they need more water. We do not need any more water. We need to use it correctly and scientifically, and not perpetrate a system at which the Assyrians would have laughed.

Mr. MOSS (Leader of the Country Party).—I have been interested in the remarks of the honorable member for Ivanhoe. I assure the honorable member that the Country Party members who have made a contribution to this debate are not ignorant of the subject on which they spoke. Indeed they displayed a remarkable knowledge of the problems confronting, not only the irrigators, but also the Minister of

Water Supply. I do not exactly agree with the assertion of the honorable member for Ivanhoe that there is plenty of water and plenty of storages. We must be more efficient in the use of our water. Every aspect of the development of irrigation in Victoria has to be tackled and mastered. I aver that our efficiency in the use of water in this State is being increased. We still need to provide more storages to impound all the water that it is possible to store economically. Consequently members of the Country party appreciate fully the great responsibility that they have in as much as they represent all the irrigation districts in Victoria. This is not an accident or something that just happened. Over the years, we have provided service to the people in those areas, which is appreciated by our electors.

I should like to make certain comments concerning the Bill. First, the Commonwealth Government has announced that it is prepared to spend $50,000,000 over a period to provide new storages in Australia. I hope the State Rivers and Water Supply Commission and the Government will be sufficiently alive to the situation to ensure that this State receives its share, along with the other States, of the finance that is being made available. Some people say that the Commonwealth Government will not contribute to the Big Buffalo dam. I do not know whether or not that is true, but let us not be parochial in outlook. If it means a new approach and the Commonwealth Government insists on regarding the Big Buffalo dam as not being a new project, it will be a pretty poor outlook. There may be ways and means of overcoming this. If finance is made available by the Commonwealth or matched for what are purely new projects, some finance that will be devoted to the Big Buffalo project could be utilized in that direction

The honorable member for Rodney referred to the efficiency that we are now enjoying in the use of water in Victoria. I agree with the honorable member for Ivanhoe that new methods must be adopted. Such methods are being sought, but there is an economic factor to consider. It is impossible immediately to adopt spray irrigation, although this is developing. The Treasurer of Victoria would be in serious trouble if he authorized a programme of providing pipe-line or concrete trough reticulation of water in the irrigation districts. That would cost much money, but, in the ultimate development of irrigation in this State, we must not only increase efficiency to the maximum, but conserve all the water possible and ensure that it is used to the best advantage.

Clause 2 provides that the formulae for provision of water shall operate for a further four years. The Country Party has advanced sound arguments why the time of operation should be extended for three years instead of four years. On a previous occasion, when a similar Bill was before Parliament, the Country Party succeeded in persuading the Government to agree that the period of operation of the formulae should be extended for three years, but, for some reason which has not been explained, on this occasion the time is to be extended for four years.

Mr. DARCY.—The reason was explained in my second-reading speech.

Mr. MOSS.—That explanation was not sound. The Minister should give some better explanation. I do not agree with the outlook of the State Rivers and Water Supply Commission and of the Government with respect to the allocation of water rights. They are both too pessimistic. They have taken the standard of the worst possible year and have said that 70 per cent. of water rights could be provided in such a year. The chairman of the State Rivers and Water Supply Commission has provided me with a graph showing that, in a year

in which conditions were equal to the worst recorded drought, the Commission would be able to supply 70 per cent. of water rights. I do not know when such conditions will occur; they have not occurred since the second world war. There is sufficient water in the water storages to irrigate the major irrigation districts for the next year.

Mr. DARCY.—Not in the Wimmera.

Mr. MOSS.—I said "the major irrigation districts", and I am referring to the Eildon and the Hume weirs. The chairman of the State Rivers and Water Supply Commission has indicated to members of the Country Party that, by 1971, the Commission will be in a position to review water rights. I am disappointed that water rights have not been increased. At present, the Commission is providing water rights and sales of 65 per cent. A small portion of the water sold could be provided under water rights. I can see no physical problem about that. It is true that, in the extreme, if water rights were increased, the percentage which could be supplied in the very worst year would be lessened, but conditions similar to those of the very worst year do not seem to be occurring.

Mr. DARCY.—We were not happy about the Hume weir in mid-season.

Mr. MOSS.—That is true, but everyone is now tremendously pleased about the major storages, the Eildon and the Hume, as the Minister acknowledges. The Commission agrees that by 1971 it will be in a position to consider increasing water rights. Certain leaders in irrigation have strongly urged that there should be an increase in water rights of about 25 acre-ft. all round. Those people who have 100 acres would not be at all pleased to hear what the honorable member for Ivanhoe said. An allocation of 130 acre-ft. of water is not sufficient to ensure a maximum production on their properties. I am disappointed that the Government has not seen fit to increase water rights.

On properties of up to 70 acres, the conditions are reasonably fair, and perhaps no increase in water rights could be justified for them. However, as the honorable member for Rodney pointed out with respect to the "one-in-twelve" type of formula, for areas of over 100 acres, the allocation seems unfair. I know that a flattening out process was introduced prior to the formulae being adopted. Properties between 100 acres to 300 acres received no increase in allocation. In presenting the formulae to Parliament, the Government acknowledged the rights of those people and proposed the "one-in-twelve" formula. If it is to be "one in three" for over 300 acres, there should be an increased allocation for 200 acres or 280 acres, or whatever the area is.

I hope the Minister was impressed by the arguments which have been advanced in favour of maintaining the *status quo* and for the operation of the formulae for extending a period of three years instead of four years. With the flow of the waters from the Snowy river and water from the large Buffalo dam becoming available, the Commission will be able to give serious consideration to increasing the water rights.

I am also concerned about the position of subdivided properties. Areas which were subdivided before 1959 come under the terms of the formulae. Despite warnings by the Commission and extensive publicity, properties are still being subdivided. The water rights have to be split because newly subdivided areas do not come under the terms of the formulae. Although the Commission pointed out that the process was undesirable, it must be recognized that it reflects the history of the development of our major irrigation districts and is one of the most important moves, apart from soldier settlement and land settlement, that can take place in those districts. I therefore suggest that consideration be given to applying the formulae to land

which was subdivided before 1963 or 1964. On a previous occasion, the date was changed from 1955 to 1959.

These matters will not be considered during the passage of this Bill, and the Country Party must accept the situation. It will support the measure but it says that the formulae should operate for only a further three years, instead of four years. The formulae should be applied to land subdivided at a date later than 1959. I would be satisfied by any later date being substituted for 1959 because, every now and again, cases are brought to my notice of property owners having no water. In spite of all the warnings, subdivisions do take place, and I hope the Minister will take that fact into consideration when dealing with these matters at a later date.

Every second year, the value of production in the irrigation districts of Victoria equals the capital value of the irrigation works of the State. A tremendous contribution is made to primary production by a comparatively small number of people, and I do not think any other type of enterprise has a record nearly as good. There is a very bright future for the development of irrigation lands, with the waters from the Snowy river in prospect and the utilization of underground water.

Previous speakers have referred to the problem of the water table becoming lower in certain areas. Whether salt enters the River Murray or is left where it is, it still creates a problem which must be tackled. The honorable member for Mildura referred to the serious situation that arises in citrus and vine production if there is a relatively high salt content in the water. If there is salt in water, the greater the flushing the greater the success of irrigation. You, Mr. Speaker, would know of what has been done on the Colorado river in America in areas where the water contains more salt than the sea. Despite that degree of salinity, there has been tremendous development in production. That type of operation must be examined. As the honorable member for Mildura suggested, the stage may be reached where it is possible to extract salt. With the developments in that field, if the processes are economic, it should not be long before progress is made in Victoria.

I repeat that, in view of the known capacity of the water available, it is disappointing that the Government has not seen fit to provide for an increase in water rights. I also suggest that the formulae should operate for only three more years instead of four years. At the end of three years, the four or five suggestions I have made could be put into operation.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma.*

Mr. DARCY (Minister of Water Supply) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

The House went into Committee for the consideration of this Bill.

Clause 1 was agreed to.

Clause 2, providing, *inter alia*—

(1) In sub-section (1) of section 65AB of the principal Act for the expression "the first day of July, 1967" there shall be substituted the expression "the 1st day of July, 1971".

(2) In Schedule Three B to the principal Act for item 6 in Table 1 there shall be substituted the following item:—

"6	Holding in the vicinity of the Warranga Western Channel as shown coloured blue on plan No. 73000 sealed by the Commission	Notwithstanding anything in the foregoing items of this table a volume not exceeding the volume of sales allocation shown in the sales allocation register adopted by the Commission in conjunction with the said plan"

Mr. DARCY (Minister of Water Supply).—In a debate on an amendment to the Water Act, members generally begin by directing attention to the fact that Australia is the driest country in the world. That fact can easily be substantiated. As the debate proceeds, members inform the Minister, the Commission and the Commission's advisers that they are too conservative, and that there is plenty of water available. Perhaps the Commission adopts a conservative attitude, but it must be remembered that in Victoria over a period of more than twenty years there has not been a drought of any great magnitude, or a double drought. The people in the Wimmera would not be talking in terms of surplus water this year because the dams which catch the water from the Grampians are in very short supply. That is all I need to say in extenuation of the fact that the Commission always advises the Minister in a conservative manner.

The question of drainage was also mentioned. In every country in the world which engages in irrigation, drainage has become a problem at some time or other. This difficulty has not yet been solved in Victoria, and I suppose it is becoming more acute every year. When I first became Minister of Water Supply, I saw some splendid work that had been done in the Swan Hill area where land was reclaimed. I have been made well aware of the fact that difficulties have arisen because drainage water has been returned to the River Murray. We are all aware that this practice cannot be allowed to continue. All honorable members will agree that the problems cannot be solved overnight. However, this Bill is an attempt towards that end, and I think irrigators will appreciate that fact.

Mention has been made of the fact that in the Prime Minister's policy speech during the last Federal election campaign a certain promise was made in relation to the conservation of water. I assure honorable members that the printing of that policy speech was hardly dry in the newspapers before the Commission began to assemble its facts. A submission has already been made to the Commonwealth, and it is hoped that finance will be made available for the construction of the Buffalo high dam. If this hope is fulfilled, it will be possible to allocate finance to a number of other works and probably to extend the drainage system.

The Government is willing to accede to the request of members of the Country Party that the period for which the formulae will operate should be reduced by one year, which means that they will operate till 1970. Therefore, I move—

That, in sub-clause (1), the expression "1971" be omitted with the view of inserting the expression "1970".

Mr. SUTTON (Albert Park).—The Opposition has no objection to this amendment. However, I wish the amendment had been circulated earlier. Members of the Country Party spoke so earnestly that, when the Minister referred to a drought, I found myself hoping that a drought might afflict the eloquence of some members of the Country Party because I was quite sure that the Minister would accede to their request.

The amendment was agreed to.

Mr. DARCY (Minister of Water Supply).—I move—

That sub-clause (2) be omitted with the view of inserting the following sub-clause:—

'( ) In Schedule Three B to the principal Act for item 6 in Table 1 there shall be substituted the following item:—

"6	Holding in the vicinity of the Waranga Western Channel comprising the whole or part of the allotments of land coloured blue on plan No. 73000 sealed by the Commission	Notwithstanding anything in the foregoing items of this table a volume not exceeding the volume of sales allocation register adopted by the Commission in conjunction with the said plan"'

If honorable members refer to sub-clause (2) as it appears in the Bill, they will notice that the amendment proposes the insertion in item 6 of the words "comprising the whole or part of the allotments of land."

Mr. SUTTON (Albert Park).—The Opposition has no objection to this amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were the remaining clauses.

The Bill was reported to the House with amendments, and passed through its remaining stages.

LEGAL PROFESSION PRACTICE (VICTORIA LAW FOUNDATION) BILL.

The debate (adjourned from March 2) on the motion of Mr. Rylah (Attorney-General) for the second reading of this Bill was resumed.

Mr. HOLDING (Richmond).—This important Bill was fully and adequately explained by the Attorney-General. Its purposes are simple. It creates a body known as the Victoria Law Foundation whose powers are fully defined in the Bill. Its objectives will commend themselves not only to members of the legal profession as such, but also to all members of the community at large. The purpose of the foundation is to ensure that, where there is a surplus in the fund, which was created by amendments to the Legal Profession Practice Act previously, beyond that which is required to indemnify members of the public where defalcations occur, the excess may be expended by the foundation in terms of the objects of this Bill. As I said previously, those objects will commend themselves not merely to members of the legal profession but also to the community at large. Therefore, I believe this Bill will commend itself to all members of this House. This measure is not opposed by members of the Opposition, and we wish it a speedy passage.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 4 were agreed to.

Clause 5 was verbally amended, and, as amended, was adopted, as was the remaining clause.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. BALFOUR (Minister of Lands), was read a first time.

LOCAL GOVERNMENT (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. PORTER (Minister of Public Works), was read a first time.

PUBLIC OFFICERS (LONG SERVICE LEAVE) BILL.

The debate (adjourned from February 28) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. MEAGHER (Minister of Transport).—I wish to advise the House that, in reconsidering this Bill, the Government discovered that certain public officers had been omitted from its provisions. These officers are with the Victorian Railways Commissioners and Metropolitan Fire Brigades Board. When this Bill is dealt with in Committee, I shall move amendments to include these officers in the Bill.

Mr. GINIFER (Grant).—It is pleasing to have the opportunity to speak on this Bill because it proposes to amend the long service leave provisions of the Teaching Service Act, the Public Service Act, the Police Regulation Act, and the Mental Health Act, and it has been

indicated by the Minister of Transport that amendments will be moved to amend similar provisions for persons employed by the Railway Department and the Metropolitan Fire Brigades Board. Presumably, officers of the Country Fire Authority also will be included.

It is four months since I made my maiden speech in this House, in the course of which I drew attention to what I thought was restrictive legislation so far as members of the Teaching Service were concerned. I expressed the hope that the long service leave provisions could be amended so that members of the Teaching Service, if they resigned or retired for various reasons and had served at least fifteen years, could be paid in lieu of long service leave, which principle applies fairly widely in industry. Although I referred specifically to the Teaching Service, my remarks applied to other persons employed in the Government service.

Members of the Opposition are pleased that the suggestion has been acted upon and that the Government has been prompted to widen the scope of the provisions of this Bill to include the officers mentioned by the Minister of Transport. During the Premier's second-reading speech, it was suggested, by interjection, that the provisions of this Bill would not operate retrospectively. I think that is a reasonable provision, because, when I entered this political arena, I knew the rules and I was happy to abide by them. Having been elected to Parliament, I felt that it was my duty to direct attention to any anomalies which existed. For that reason, the Opposition concurs in the provisions contained in this Bill.

I wish to refer to one aspect that was mentioned by the Premier in his second-reading speech. It is in relation to superannuation benefits and the restrictive legislation applying to officers covered by the provisions of this Bill who may want to aspire to Parliamentary office in this State. I suggest that this position should be investigated and that the Government should consider the situation in Queensland, where a member of the Public Service who is elected to Parliament is able to contribute for superannuation benefits which he obtained as a public servant. I am delighted that this Bill has been introduced only four months after I referred to the need for such amending legislation. It is fair to say that one person must not accept all the credit because, no doubt, the professional organizations involved have made representations to the Minister. However, it is pleasing to know that, within four months, the Government's thoughts have crystallized into the introduction of this Bill, which will eliminate the restrictive provision affecting persons in the Government service.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma*.

Mr. MEAGHER (Minister of Transport) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

The House went into Committee for the consideration of the Bill.

The clauses were agreed to.

Mr. MEAGHER (Minister of Transport).—I propose the following new clause AA:—

'AA. (1) The Railways Act 1958 shall be amended as follows:—

(*a*) After section 187 there shall be inserted the following section:—

"187A. (1) Notwithstanding anything in section 187 where an officer or employee in the railway service with not less than fifteen completed years in that service resigns or is dismissed or for any reason other than age or ill health has his services

terminated the Board or the Commissioners (as the case may be), on the written application of the officer or employee may, in lieu of long service leave with pay, grant the payment to the officer or employee of a sum determined by the Board or the Commissioners (as the case may be), which shall not in any case exceed a sum equal to that of one-fifteenth of nineteen and a half weeks' pay for every completed year of railway service:

Provided that no such payment shall be granted for any year of railway service or part thereof in respect of which long service leave with pay or pay in lieu thereof has been taken by the officer or employee.

(2) Where an officer or employee in the railway service who resigns after not less than ten but less than fifteen completed years of railway service satisfies the Board or the Commissioners (as the case may be) that his resignation is justified by domestic or other pressing necessity the Board or the Commissioners (as the case may be), notwithstanding that he is not entitled to long service leave under this Act, may upon the written application by the officer or employee grant the payment to the officer or employee of a sum determined by the Board or the Commissioners (as the case may be), which shall not in any case exceed a sum equal to that of one-fifteenth of nineteen and a half weeks' pay for every completed year of railway service.

(3) The Board or the Commissioners (as the case may be) shall take into consideration the conduct of the officer or employee when determining—

(*a*) whether to grant such payment under this section; and

(*b*) where such payment is granted, the sum to be paid.";

(*b*) In section 188 for the words "last preceding section" there shall be substituted the words "last two preceding sections";

(*c*) In section 189 for the words "last two preceding sections" there shall be substituted the words "last three preceding sections".

The purpose of the new clause is to amend the Railways Act 1958 by adding new section 187A, to apply the intention of the Bill to railway employees.

The new clause was agreed to.

Mr. MEAGHER (Minister of Transport).—I propose the following new clause BB:—

BB. The Metropolitan Fire Brigades Act 1958 shall be amended as follows:—

(*a*) After section 81 there shall be inserted the following section:—

"81A. (1) Notwithstanding anything in section 81 where an officer or employee with not less than fifteen completed years of service resigns or is dismissed or for any reason other than age or ill health has his services terminated, the Board on the written application of the officer or employee may, in lieu of long service leave with pay, grant the payment to the officer or employee of a sum determined by the Board, which shall not in any case exceed a sum equal to that of one-fifteenth of four and a half months' pay for every completed year of service:

Provided that no such payment shall be granted for any year of service or part thereof in respect of which long service leave with pay or pay in lieu thereof has been taken by the member.

(2) Where an officer or employee who resigns after not less than ten but less than fifteen completed years of service satisfies the Board that his resignation is justified by domestic or other pressing necessity the Board, notwithstanding that he is not entitled to long service leave under this Act, may upon written application by the officer or employee grant the payment to the officer or employee of a sum determined by the Board, which shall not in any case exceed a sum equal to that of one-fifteenth of four and a half months' pay for every completed year of service.

(3) The Board shall take into consideration the conduct of the officer or employee when determining—

(*a*) whether to grant such payment under this section; and

(*b*) where such payment is granted, the sum to be so paid."

(*b*) In section 80 for the words "next six succeeding sections" there shall be substituted the words "next seven succeeding sections".'

This clause similarly amends the Metropolitan Fire Brigades Act 1958 to extend to provisions of the Bill to the officers of that body.

Mr. GINIFER (Grant).—The Opposition supports the proposals outlined by the Minister, which indicate

that, to some extent, the Government is running true to form by submitting amendments that are approximately the same size as the Bill. However, the Opposition is delighted with the amendments, which will obviate the necessity for the principal Act to be amended a second time.

The new clause was agreed to.

The Bill was reported to the House with amendments, and the report was adopted.

Mr. MEAGHER (Minister of Transport).—I move—

That this Bill be now read a third time.

Mr. GINIFER (Grant).—Clause 4 relates to the Teaching Service Act. Teachers employed at technical schools are under the direction of technical school councils, and, in effect, are not directly in the employ of the Education Department. The schools are financed by annual grants. Are teachers employed in those schools covered by the provisions of this Bill, or will it be necessary for further provision to be made to cover their cases?

Mr. MEAGHER (Minister of Transport).—I regret that I am not in a position to answer the question in detail, but I shall refer the matter to the appropriate Minister and the honorable member for Grant will be advised in due course.

The motion was agreed to, and the Bill was read a third time.

LAND (AMENDMENT) BILL.

The debate (adjourned from February 22) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. WILTON (Broadmeadows).—The purpose of the Bill is to amend the Land Act 1958 and section 26 of the Closer Settlement Act 1938. The greater part of the measure is taken up with a redrafting of Division 10 of the Land Act 1958, which deals with improvement purchase leases. As honorable members are aware, these leases are granted by the Crown to enable Crown lands which are still in a virgin state to be developed. Certain prescriptions are laid down by the Lands Department through the appropriate Minister, and during an initial period of six years the lessee must satisfy the authorities that he is capable of fulfilling his intention of fully developing the land and bringing it into production.

As the Minister of Lands stated in his second-reading speech, departmental officers have encountered difficulties in carrying out some provisions of the Act. In the redrafting of Division 10, some amendments have been made and some of the original provisions have been retained. While the Opposition agrees with the Bill in general, it has one or two reservations. One is that no provision is made in new Division 10 for the ceiling valuation of $15,000 to be carried forward from the existing provisions. At present, a person is ineligible to apply for a lease if the land he already owns plus the land that he proposes to lease has an unimproved value exceeding $15,000. Opposition members are not happy about the proposal to lift that ceiling. We consider that it should be continued, although we appreciate that in certain circumstances it could be practical to raise the ceiling. I wish to advise the House that, to achieve the desired effect, at the Committee stage I shall submit a suitable amendment.

In another part of the Bill, it is provided that in some circumstances a person need not necessarily be required to reside on the land that he is leasing. With the approval of the Governor in Council, he may live as far away as 50 miles. While in some States 50 miles is a comparatively short distance—in Queensland and Western Australia it is not uncommon for huge tracts of land to be under the control of one or

two persons—in Victoria, the smallest mainland State, it is a considerable distance. The Opposition believes this provision will need to be closely watched and prudently administered. We consider that this should not become a general practice throughout the State.

In his second-reading speech, the Minister, in discussing the question of a valuation ceiling, advanced the argument that his Department had found that in some instances people had been excluded from applying for leases for land which in itself was not a livable area, when the only practical way to develop it was to permit some person with an existing farm adjoining to take it over. Because of the $15,000 limit, such persons were excluded from obtaining a lease. Of course, under the other provision in the Bill whereby a person may be permitted to live up to 50 miles from the leased land, odd pieces of Crown land which could be developed only by a person already engaged in farming may be covered. The Lands Department will have a much wider choice under the proposed new definition of "occupy", which reads—

> "Occupy" in relation to an improvement purchase lessee means reside in person on or within 25 miles of the demised land or within such greater distance of the land not exceeding 50 miles as the Governor in Council may determine in any particular case.

I believe that, under this interpretation, in certain circumstances a person could live 25 miles or even 50 miles from the area concerned and still comply with the legislative requirements. This will greatly broaden the field from which the Department may receive applications. I hope the Government will accept the amendment I have foreshadowed, because in the Opposition's view some ceiling should be placed on the unimproved value of property of applicants for improvement purchase leases and only in most unusual circumstances should permission be given for a person possessing property of greater value to have the opportunity of acquiring such a lease. Apart from those observations, members of the Labor Party believe the legislation improves the present Act.

Mr. B. J. EVANS (Gippsland East).—The amendments to the Land Act contained in this Bill have been awaited with some interest by the people I represent, and particularly by the Shire of Orbost which, for many years, has been rather concerned about the small percentage of its territory which is alienated land and therefore rateable. The shire has been searching for some means of facilitating land settlement in order that the rateable area within its boundaries may be increased so that the over-all financial position of the shire may be improved. There is no doubt that a shire which has only a small percentage of its area rateable faces larger administrative problems and costs than other municipalities. In addition, the provision of roads and other services presents a heavy financial burden. Shires similar to the Shire of Orbost will welcome the broadening of the provisions of the Land Act to make it easier for land to be selected and developed.

Generally speaking, members of the Country Party support the amendments contained in the Bill, although some members have reservations in regard to some proposals. Two major changes are contained in the Bill. The first is the altered definition of the term "occupy" which increases the distance a person may live from the area which he selects. In future, he will be entitled to select a block of land without having to incur expenditure in building a residence on it. In many cases expenditure in this direction retards the rapid and complete development of a block.

It is evident to anybody who cares to carry out inspections in the Shire of Orbost that a certain percentage of the people who have been allocated blocks in recent years have not had the financial backing to enable them to carry out the necessary developmental work and bring the blocks

into production at an early stage. Many of these people have the will, the knowledge and the physical capacity to do the job, but they lack the financial capacity. I am disappointed that this Bill does not go further in this direction and that the Government does not recognize that it has a stake in these blocks for the six-year period of the improvement purchase lease. If the Government recognized this fact, it could introduce a scheme of guaranteeing finance to selectors to enable them to improve their blocks. Even if it guaranteed the finance, without actually lending the money, many successful applicants might be in a position to get bank finance at rates of interest which would enable them to develop their blocks more rapidly. Until they get their blocks to the stage where they are productive, they are not in a position to start paying back the money they borrowed to bring the blocks up to standard.

The second important matter dealt with in the Bill is, I believe, an attempt to overcome problems encountered by people with insufficient finance taking on blocks. It is proposed to remove the limitation on the amount of land which may be held by an applicant. I have certain reservations on this point because too much responsibilty will be left with the local land boards. It may be that the local land board will determine that the person with the most land is best able to make use of a block which may be thrown open for selection. This would probably be a matter for Ministerial direction to the local land boards, and, whilst I have no doubt about the present Minister and his actions in this direction, I do not know what sort of Government may be in office in the future and what will be the personal approach of the then Minister of Lands. It could be that future Ministers will be given broader powers than they are entitled to. However, I do not propose to delay the passage of the Bill on that score. The complete removal of the limit might be going too far and some thought could be given to an increase in the limit.

I had hoped that the Government would introduce a scheme to allow private capital to be used in opening up land for selection. It is generally agreed that the ideal system for the development of Crown lands to the stage where they can be taken up by farmers is the system adopted by the Rural Finance and Settlement Commission. As an example, I refer honorable members to the activities of the Commission at Heytesbury. However, cognizance must be taken of the fact that the amount of land that can be developed each year under this system is limited by the finance that the Government can make available to the Commission. If a system of development by private capital was introduced, a time limit should be placed on the private developmental company. If it was provided that at the end of the period allowed for an improvement purchase lease—that is six years—the company had to dispose of the land by subdivision, the type of development which is needed to bring large areas of Crown land throughout the State into production might be encouraged.

There is a drafting error in the Bill. One of the penalties is indicated in terms of pounds instead of dollars, but the Minister has said that the error has been detected and will be corrected during the Committee stage. Generally, the Country Party supports the Bill. It will lead to more rapid and more certain development of Crown land throughtout the State.

Mr. STEPHEN (Ballaarat South).—I support the Bill. I am surprised by the indication of the Opposition that it will propose an amendment to the provision to eliminate the ceiling on assets held by a person who may apply for Crown land. Most Crown land still available in Victoria is, at the best, second class land.

Mr. STONEHAM.—Of what area are you speaking?

Mr. STEPHEN.—This is particularly so in the far western areas. Greater capital is needed to develop the type of land in those areas than for other types of land. Not everyone can meet the high cost involved. The proposal to allow people to live up to 50 miles away from their blocks is a common-sense move, particularly when it is considered that 5 miles was once approximately the distance which could be travelled in an hour.

Mr. STONEHAM.—Are you in favour of Collins-street farmers?

Mr. STEPHEN.—I am in favour of land being brought into production, irrespective of by whom. I assure honorable members who are not familiar with land development that the greatest problem of successful land development is insufficient capital. I support the various intentions of the Bill and repeat that I am surprised that the Opposition intends to propose the amendment that it has foreshadowed.

Mr. WHITING (Mildura).—Quite large areas of Crown land in my electorate will be affected by the terms of this Bill. Specific reference is made to validating grants and leases in Mallee areas. Although the amendment will be welcomed by many people in the north-west of the State, it is disappointing that the Bill does not include provision for some type of cultivation licence for 21-year leases and annual grazing licences. Over the years, people holding land on grazing licences have cleared and improved the land and have adopted normal cropping procedures. Land subject to conditions relating to the control of soil erosion will not be subject to a Crown grant until the expiration of twelve years from the commencement of a lease, instead of six years, and the term may be extended if the Minister thinks that desirable.

Some areas in which the soil is of the light, sandy type are subject to erosion if the whole area is cleared. So long as the Soil Conservation Authority has the right to dictate the manner in which the land will be cleared and worked, it will give approval to the alienation of the land whereas, at present, it refuses to give such approval and causes the land to be kept under lease or licence. Improvement purchase leases will be available to people who have cleared and developed land without really having the right to do so. The Act was not policed strictly, and the practice developed, but the people who improved the land have only the tenure granted by an annual grazing licence.

Clause 2 clarifies the position of Mallee land and validates the present Crown grant. Clause 5 will remove any doubt about the validity of any future improvement purchase leases which may be granted.

In relation to the provision which will allow a lessee to live as far as 50 miles away from his property, honorable members should bear in mind that secondary school facilities would not be available within 40 miles of some properties. It would be almost impossible for children successfully to undertake secondary education if they had to travel those distances each day. The new provisions are in line with present-day conditions. I commend the Government for including this provision in the Bill.

The Deputy Leader of the Country Party had some doubts about removing the limit on the amount of property which could be owned by an applicant for an improvement purchase lease. The type of provision imposing such a limit is difficult to administer. Because of the variation in the value of land in different parts of the State, it would be most difficult to set a maximum acreage which could be owned by an applicant. One can only hope that the local lands boards will use their discretion.

Mr. STONEHAM.—The amendment which the Labor Party proposes to move specifically provides that, if a

land board recommended it and the Minister agreed, an exception could be made.

Mr. WHITING.—An aggrieved applicant, who is not satisfied with a decision of a land board, has the right of appeal to the Minister. Whilst it is appreciated that, in rare cases, the Minister would overrule decisions of the board—this has been done to my knowledge—I believe it is a sensible provision which may overcome the problem which exists at the present time.

My only criticism of the Bill relates to the definition of "land improvements" in proposed new section 152, as contained in clause 3. Paragraphs (*a*) (*b*) and (*c*) define the expression as meaning the clearing, draining or grading of land, the preparation of land and the improvement of soil. However, paragraph (*d*) provides that "Land improvements" means any other improvement of land specified by the Governor in Council. To a lessee, this provision could mean that he is purchasing land which would resemble a pig in a poke because, at any time during the initial period of ownership, the Governor in Council could declare a particular type of improvement to the land and the lessee would be compelled to comply with it. If carried to the extreme, this provision could impose hardship on certain landowners. Perhaps the Minister of Lands could further examine this provision and explain to honorable members why it is necessary. Generally, I believe the Bill will assist land development in Victoria. However, I trust that further consideration will be given to the matters to which I have referred.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, providing, *inter alia*—

The Principal Act shall be amended as follows:—

. . . . . .

(*d*) In section 34—

(i) in sub-section (1)—

the words "except non-payment of rent instalments of purchase money or fees" shall be repealed.

Mr. BALFOUR (Minister of Lands). I propose to move amendments to several clauses of this Bill.

Mr. STONEHAM.—Naturally! This happens with every Bill introduced by the Government.

Mr. BALFOUR.—Bills are carefully examined by the Government when they are under consideration. While I am not suggesting that anyone is to blame for the situation, I point out that Bills are drafted and printed, but the Government does not see them after the initial drafting until they are being dealt with in Parliament. Unfortunately, words are sometimes omitted from certain provisions and words may be wrongly included in other provisions. I was interested to hear the honorable member for Gippsland East refer to the question of finance being provided to enable landowners to improve purchase leases. At present, arrangements are made so that mortgages can be taken out and, on many occasions, finance is available through the Rural Finance Corporation or the National Development Bank. For some time, I have felt that there should be some over-all scheme whereby when people take up land there is a guaranteed source of revenue to enable them to develop it. This matter could be examined at a future date.

When the honorable member for Gippsland East referred to private capital being utilized for the development of farm properties, I take it that he was referring to the development of large areas of land. It may be desirable that large areas of land should be developed, but I believe that cases of this type should be treated by special legislation rather

than by means of an over-all provision in the legislation under which either the Department or the Minister would be able to go ahead irrespective of what Parliament thought and make large areas available to private enterprise. The work undertaken by the Australian Mutual Provident Society in the desert area provides a good example of the situation to which I refer. If some organization can submit a proposition which is acceptable, special legislation should be enacted to allow it to be implemented. I move—

That, in sub-section (1) of section 34, as contained in sub-paragraph (i) of paragraph (*d*), after the word "words" the words "'except non-payment of rent instalments of purchase money or fees' and the words" be inserted.

In the principal Act, the expression "except non-payment of rent instalments of purchase money or fees" occurs twice whereas, in the Bill, as printed and presented to the House, it occurs only once. It is necessary for the relevant words to be repeated.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 3, providing, *inter alia*—

For Division 10 of Part I. of the Principal Act there shall be substituted the following Division:—

154. (1) Any person who is over the age of eighteen years may subject to this Division apply for an improvement purchase lease of any land proclaimed under this Division.

(2) A person shall not apply for an improvement purchase lease of any land—

(*a*) as the servant agent or trustee of any other person; or

. . . . . .

Mr. WILTON (Broadmeadows).—I move—

That the following sub-sections be inserted to follow sub-section (1):—

( ) Except in any case in which the Governor in Council directs upon a recommendation of the Minister given after a Local Land Board has considered the matter at a public hearing and reported thereon, a person shall not be eligible to take a grant of an improvement purchase lease if he is the owner of other land which together with the land for which he has applied under this Division is of a total unimproved value of more than $15,000.

( ) In this section "unimproved value" of any land means the sum which the owner's estate or interest therein, if unencumbered by any mortgage or other charge thereon, might in ordinary circumstances be expected to realize at the date of the application for the lease if offered for sale on such reasonable terms and conditions as a *bona fide* seller might be expected to require and assuming that the actual land and structural improvements thereon (if any) had not been made:

Provided that the unimproved value of land held under lease or licence from the Crown is the unimproved value for the time being of such land after deducting such amount of the purchase money as has not for the time being become due and payable to the Crown; and the unimproved value of any unoccupied land of the Crown is the value at which the same is available for leasing under an improvement purchase lease.

The Opposition feels that this amendment will meet the situation when the Lands Department finds itself in the position of wanting a portion of Crown land developed but, because it is not in itself a livable area, it is impracticable to grant a lease to a person who is not already well established in the farm occupation. If such a situation arose, I consider that, following a public hearing, the Minister should have power to make a recommendation to the Governor in Council to permit the ceiling to be raised. This would meet the situation on the rare occasion when it arose.

I desire to refer also to the question of unimproved value. The definition included in my amendment reads—

In this section "unimproved value" of any land means the sum which the owner's estate or interest therein, if unencumbered by any mortgage or other charge thereon, might in ordinary circumstances be expected to realize at the date of the application for the lease if offered for sale on such reasonable terms and conditions as a *bona fide* seller might be expected to require and assuming that the actual land and structural improvements thereon (if any) had not been made:

That means that, at the time of the application, all the improvements that a person had made on the land would be disregarded and it would be valued purely as an unimproved piece of land.

In his second-reading speech, the honorable member for Ballaarat South criticized members of the Opposition in relation to this amendment which was then foreshadowed. The honorable member stated that all he was interested in was seeing land developed. All I can ask in answer to such a pious utterance is: Why is not the honorable member pressurizing the Government to secure land in the Western District that is either lying idle or not being used to its maximum capacity and is capable of closer settlement? The honorable member also mentioned second-class land.

The CHAIRMAN (Mr. Christie).—Order! I find it difficult to relate the honorable member's remarks to the amendment.

Mr. WILTON.—My remarks revolve around the question of unimproved values as it is proposed they shall be used for the purposes of this legislation. The point I was leading up to was that the honorable member for Ballaarat South mentioned a large area of second-class land in the north-western portion of the State and stated that he considered that the answer to the problem would be the removal of the ceiling restriction in the existing Act. I point out to the honorable member that a ceiling of $15,000 would command a tremendous acreage of unimproved land. I do not think it is a legitimate argument to assert that the removal of the ceiling is necessary to enable this land to be developed. If the ceiling is not retained, the outcome will be that large landholders, who are already well-established on the land and who are probably not using the land to its full capacity, will be in a strong position to compete with the "battler" who is attempting to establish himself on a farm. The "battler" will be at such a disadvantage that he will not be "in the race."

It should be borne in mind that, under the Bill, once a person completes the initial six-year period and abides by all the covenants and requirements, he will acquire freehold title to Crown land. There is no provision in this Bill or in the law by which such a person can be forced to use the land to its maximum capacity. The purpose of developing Crown land is to increase the primary production of this State. As honorable members are aware, this country is dependent on its primary industries. It has been established that 80 per cent. of Australia's foreign capital is earned by primary production.

The CHAIRMAN (Mr. Christie).—Order! The honorable member is now making a second-reading speech on his amendment.

Mr. WILTON.—I am attempting to impress on honorable members that the main reason for retaining this ceiling is to ensure that, when such parcels of land are offered for lease, they are taken up by persons who are prepared to use them to their maximum capacity. Far too often large areas of farm land are acquired by individuals and companies for the purpose of avoiding taxation and are not put to their best use.

THE CHAIRMAN.—Order! The honorable member has made that point at least once before. I invite him to proceed with his amendment.

Mr. WILTON.—I believe this is one of the important features of the legislation. I do not know whether members of the Country Party are sincere in the reservations they have expressed in regard to this clause and are anxious to see Crown land developed by persons who, in normal circumstances, have not sufficient capital to purchase developed land on the open market.

Mr. STEPHEN.—How are they going to develop the land without finance?

Mr. WILTON.—This clause does not allow me sufficient scope to answer the honorable member's interjection. However, I point out that when four blocks of land became available at Heytesbury there were

about 400 applicants for them. It is essential that the ceiling should be retained, and I consider that the amendment I have submitted will meet all the circumstances.

Mr. BALFOUR (Minister of Lands).—This question has received quite a deal of consideration and it has been decided that the lifting of the restriction is the best way to implement the objects of the Bill. Originally, under the selection purchase leases, when the land was classified, the maximum area set aside for third class land was 320 acres and for fourth class land, 640 acres. In the early days, especially in the Mallee, land was subdivided into 640-acre lots. Members of this House know the history of the Mallee and what had to be done in that area.

When the 1956 legislation was drafted, it was felt that, instead of providing for a maximum area, there should be a maximum valuation, and the amount of $14,000 for the unimproved value of the property which the person owned, and the property which he hoped to obtain, was taken as being a reasonable figure. In the last ten years, it has been evident that this ceiling has had its disadvantages, and in trying to fix a valuation some difficulties were experienced because, no matter which figure was selected, there were always anomalies.

In moving the amendment, the honorable member for Broadmeadows suggested one way of overcoming the various cases in which it might be necessary to allocate land to someone who would have land over the required valuation. The Governor in Council could, upon the recommendation of the Minister, given after a local Land Board has considered the matter, waive that maximum figure. If the maximum figure applied to persons whose land, plus the land which they hoped to get, was of a greater value than the $15,000, they would not be eligible to apply, and therefore would not get before the land board. If they did apply and appeared before the land board, they could be appealling against someone else on the ground that the board had not recommended to the Minister that the ceiling be lifted. There would be a great deal of difficulty in that regard.

Another difficulty that has confronted the Department is included in the second sub-section of the amendment moved by the honorable member, where the meaning of "unimproved value" is set out. This matter has caused quite a few problems over the last five or six years. Some people believe that unimproved values are still $2 or $3 an acre. The suggested meaning of "unimproved value", *inter alia*, is—

> . . . for the lease if offered for sale on such reasonable terms and conditions as a bona fide seller might be expected to require and assuming that the actual land and structural improvements thereon (if any) had not been made.

I agree that that is the correct way to place a valuation on unimproved land. In the electorate of Morwell, virgin bush is selling at between $70 and $100 per acre. Is that the unimproved value? If that is so, a person living 80 or 90 miles from Melbourne would not need much of that land to have an unimproved valuation of $15,000, including the unimproved valuation of the land which he expects to get.

Mr. WILTON.—The Minister does not suggest that he has just quoted the unimproved value of the land?

Mr. BALFOUR.—I am using the honorable member's own words.

Mr. WILTON.—You quoted a figure for unimproved value.

Mr. BALFOUR.—I quoted the price which people are paying, and which is the bona fide seller price.

Mr. WILTON.—Is that the unimproved valuation?

Mr. BALFOUR.—The honorable member prepared this amendment.

Mr. WILTON.—I did not quote prices.

The CHAIRMAN (Mr. Christie).—The Minister should address the Chair and not the honorable member for Broadmeadows.

Mr. BALFOUR.—Mr. Chairman, I realize that the honorable member did not quote prices, but I am trying to explain to him, and to other members, the difficulty which the Department has in determining the unimproved value of land, whether it be in the Mallee, the Western District, Central Gippsland, East Gippsland, or in the Bendigo area. The honorable member has moved an amendment which states, *inter alia*—

( ) In this section "unimproved value" of any land means the sum which the owner's estate or interest therein, if unencumbered by any mortgage or other charge thereon, might in ordinary circumstances be expected to realize at the date of the application for the lease if offered for sale on such reasonable terms and conditions as a bona fide seller might be expected to require and assuming that the actual land and structural improvements thereon (if any) had not been made:

I agree with the honorable member's definition of "unimproved value", but land sales are held in various areas and, surely, if people will pay $70 to $100 an acre for virgin country, the unimproved valuation of adjoining land must be a comparable figure.

Mr. WILTON.—No.

Mr. BALFOUR.—I will not take the matter any further. I am endeavouring to show that one of the difficulties which confronts the Department and the Minister in determining these things is what is the unimproved value of a person's property, and what is the value of the property we hope to give him, and what is the aggregate value? For that reason, it was felt better not to provide for a ceiling at all, but to leave it to the good sense of the land board.

Historically, the Lands Department has been against the aggregation of land. As I said, originally 640 acres was the maximum selection which a person could take out. The figure of $14,000 was set in 1956 and when agricultural college leases come up for sale from time to time, before a man can purchase one of those, the Department has to decide that no aggregation of land is taking place. In view of the history of the Department, and the way in which it has operated over a number of years, the aggregation of land will be guarded against. Whilst we want to be sure that land is given to persons who have a possibility of developing it, it is necessary that the person who is a struggler should be helped, and that he will not be overrun by those who have great assets and who possibly could purchase freehold land.

I apologize for having taken so long in dealing with the point, but I have endeavoured to explain the Government's position. For the reasons I have stated, the Government cannot accept the amendment.

Mr. B. J. EVANS (Gippsland East).—I have listened to the explanation of the amendment and the Minister's reply with a great deal of interest. There is merit in the amendment moved by the honorable member for Broadmeadows, and in normal circumstances the Country Party would seek to have progress reported, in order to consider the matter more fully. We appreciate the Government's position in this regard, and we would not want to do that at this time. I simply indicate that we would like time to consider the proposal. If the limit of $15,000 were, perhaps, doubled, some of the difficulties might be overcome. Some of the other objections of the Minister could be overcome by proper drafting of the legislation. The Country Party will give further consideration to the Bill before it goes to another place and may decide to change its attitude or submit a further amendment. I hope that reconsideration of the measure will bring a more satisfactory result.

Mr. WILTON (Broadmeadows).—On the question of unimproved values, the Minister of Lands mentioned cases in his own electorate as

support for his argument against accepting the amendment proposed by the Opposition. There are many reasons why people are prepared to offer inflated prices for land. For instance, they seek to acquire additional acreage for taxation purposes. Business people with secured incomes from other sources are prepared to acquire virgin land for development as farms and they are not greatly concerned about costs.

On the other hand, pulpwood contractors often seek to acquire lands at prices often as low as only one third of the unimproved values. I know of a case where a pulpwood contractor offered a price of $10 an acre, but another person was prepared to pay $80 an acre. Everyone in the district knew that this person could not make money on such a high unimproved value. The purchaser was not concerned about making money on the deal, but he created a false value.

The Minister of Lands has not given a correct assessment of the position. What would be the reaction of a landowner paying an unimproved value of $100 an acre if the land tax officer wanted to use that figure for purposes of land tax? He would quickly want to have the land reassessed for land tax purposes at $10 an acre—which would be nearer to the true value. The Minister has not put up a good case, and I persist with my original argument.

The amendment was negatived.

The clause was agreed to, as were clauses 4 and 5.

Clause 6 was verbally amended, and, as amended, was adopted, as was clause 7.

Clause 8, providing, *inter alia*—

(1) After Part XIII. of the Principal Act there shall be inserted the following Part:—

"PART XIV.—REGULATIONS.

. . . . . .

(2) The Principal Act shall be amended as follows:—

. . . . . .

(*b*) In sections 3, 230, 308, 375 and 387 for the interpretation of "Regulations" there shall be substituted the following interpretation:—

'"Regulations" means regulations made under this Act";

(c) In section 274 in the interpretation of "Prescribed" for the words "by regulations under this Part" there shall be substituted the words "by the regulations";

(*d*) In section 375—

(i) in the interpretation of "Prescribed" for the words "regulations under this Part" there shall be substituted the words "the regulations"; and

(ii) the interpretation of "Regulations" shall be repealed.

Mr. BALFOUR (Minister of Lands).—I move—

That, in paragraph (*b*) of sub-clause (2), the expression "sections 3, 230, 308, 375 and 387" be omitted with the view of inserting "section 3".

The amendment was agreed to.

Mr. BALFOUR (Minister of Lands).—I move—

That, in sub-clause (2), the following paragraph be inserted to follow paragraph (*b*):—

'( ) In sections 230, 308, 375, and 387 the interpretation of "Regulations" shall be repealed;'.

The amendment was agreed to.

Mr. BALFOUR (Minister of Lands).—I move—

That, in sub-clause (2), paragraph (*d*) be omitted with the view of inserting the following paragraph:—

'( ) In section 375 in the interpretation of "Prescribed" for the words "regulations under this Part" there shall be substituted the words "the regulations"'.

The amendment was agreed to, and the clause, as amended, was adopted, as was the remaining clause.

The Bill was reported to the House with amendments, and passed through its remaining stages.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) (AMENDMENT) BILL.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a second time.

Last year, Parliament passed emergency legislation to appoint Mr. E. I.

Meeking as manager to exercise the powers and perform the duties of the Tobacco Leaf Marketing Board pending the appointment of members of the Board. Honorable members will recall that this legislation was necessary because the Supreme Court had granted an injunction restraining the appointment to the Board of the persons elected at the poll of producers of tobacco leaf taken on the 13th April, 1966.

The injunction restraining the appointment of members of the Board is still operative, and therefore Mr. Meeking has continued to act in the capacity of manager. At this stage it is not known when the litigation which led to the granting of the injunction will be resolved. Honorable members will appreciate that the legislation enacted in 1966 was designed to meet a critical situation which had arisen, but which at that time was not expected to be of long duration. For that reason, no provision was made in the legislation for the appointment of a manager in the event of Mr. Meeking's services becoming unavailable, although provision was made for his services to be terminated on the filling of the vacancies in the membership of the Board or on his prior resignation or termination of appointment by the Governor in Council.

Mr. Meeking's appointment as manager has now been operative for over ten months, and it is possible that the necessity for a manager to carry out the functions of the Board could continue for some time yet. Under the Tobacco Leaf Marketing Board (Appointment of Manager) Act as it now stands, appointment of another person to act as manager, should that become necessary, could be effected only by amending legislation. The Government is concerned that, in the present circumstances, a situation could arise where, during a Parliamentary recess, the position of manager of the Board might become vacant, and no action could be taken to appoint a successor. In that event, the Board could no longer function, and a chaotic situation would ensue, particularly in relation to the disposal of tobacco leaf. For example, the next sales of tobacco leaf in Victoria are scheduled to commence in June this year, and in the following two months it is expected that about 11,000,000 lb. of leaf valued at approximately $12,000,000 will be offered for sale. This leaf is vested in the Board under the Marketing of Primary Products Act, and its disposal is one of the Board's primary responsibilties. If the position of manager of the Board became vacant in this period, and a successor could not be appointed, no action could be taken to dispose of the leaf, with very serious consequences to Victorian growers. This could also jeopardize the Commonwealth stabilization scheme involving growers in New South Wales and Queensland.

The Government has therefore decided that it should take the precaution of amending the Act to meet such a contingency. At the same time the attention of the Government has been drawn to a difficulty which has arisen in relation to the expenses which can be paid to the manager under the existing legislation. Sub-section (3) of section 2 of the Act provides that the manager shall be paid from the funds of the Board such remuneration and expenses as the Governor in Council may determine. Recently the Crown Solicitor gave an opinion that in the Act " expense " is a pre-estimate of the expenditure the manager will be personally required to incur in the carrying out of his duties, and that the Governor in Council is not empowered to authorize payment of expenses which do not come within this category.

When the Act was passed it was expected that, depending on the duration of the appointment, Mr. Meeking would incur expenses not directly connected with his duties as manager of the Board, but nevertheless occasioned by his acceptance of

the assignment. It was considered at the time that the relevant provision in the Act was sufficiently wide to enable these expenses, which are in the nature of a financial disability consequent on the appointment, to be met. For instance, Mr. Meeking is a contributor to his firm's provident fund to which the firm makes grants on behalf of the contributors. In respect of the period of his secondment to the Tobacco Leaf Marketing Board, Mr. Meeking was required to pay to the fund, in addition to his own contributions, the amount normally granted by the firm on his behalf. Moreover, circumstances have now arisen whereby, as a result of his continuance as manager of the Board, Mr. Meeking could suffer a financial disability in relation to his equity in this provident fund. Having regard to the indefinite duration of the appointment, the Government considers it only reasonable that Mr. Meeking or, for that matter, any other manager whom it may be necessary to appoint, should be compensated for any financial disability occasioned by acceptance of or continuance in the position. It has been decided therefore to amend the Act to make provision for payments of this nature.

Clause 2 of the Bill makes provision for Mr. Meeking to be paid such amount or amounts as the Governor in Council may determine to compensate him for any financial loss he may suffer, or may have suffered, by acting or continuing to act as manager of the Board. In clause 3, provision is made for the Governor in Council to appoint a suitable person to act as manager in the event of Mr. Meeking's ceasing to be manager before the vacancies in the membership of the Board are filled. This clause also ensures that the provisions of section 2 of the Act as amended, with such modifications as may be necessary, will extend and apply to any other person appointed as manager should such an appointment become necessary.

This Bill rectifies deficiencies which in the light of experience have become apparent in the existing legislation. It will facilitate the continued and satisfactory management of the Board's operations until such time as the appointment of members can be effected, and I commend it to the House.

On the motion of Mr. STONEHAM (Leader of the Opposition), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

Mr. PORTER (Minister of Public Works).—I move—

That this Bill be now read a second time.

The main objects of this Bill fall into two classes, namely, an improvement in the effectiveness of the local or municipal weights and measures administration in some parts of the State and a more satisfactory control over the weights of loaves of bread.

With regard to the first of the main objects of the Bill, it seems worth while to recall briefly that, while most of the work on standards of weight and measure and some testing of weighing and measuring equipment used in trade are done by the central administration or Government weights and measures authority, most of the weights and measures work which is of direct concern to the general public is a function of the local or municipal weights and measures administration. Examples are the testing of ordinary shop scales and retail petrol pumps and the policing of provisions dealing with the sale of goods, such as the detection of the giving of short weight or of failure to place proper statements of quantity on packaged goods.

Some local authorities take a keen interest in the administration of the Act and do an excellent job. Others are somewhat less zealous and, at the other extreme, there are some

which have not even a token weights and measures administration. Section 43 of the existing Act provides means whereby the Government could take over the work of a local authority failing to conduct the administration effectively, the local authority being required to reimburse the Government for the costs incurred. Considerable sympathy has, however, been felt for some local authorities which do not have sufficient work to warrant the appointment of full-time inspectors for their areas and which, for various reasons, have not found themselves favourably placed in regard to joining in larger administrative units in the form of large weights and measures unions. To apply the provisions of section 43 in such cases could appear to be in the nature of a harsh penal action in respect of circumstances which the local authority concerned had no reasonable means of avoiding. On the other hand, it is also most unsatisfactory that the public should be denied the protection of the Weights and Measures Act in areas where these conditions exist.

To overcome these disabilities, the Bill provides for local authorities to be able to apply for the Government to conduct the local administration in their areas, on their behalf, on terms to be approved by the Minister. It is envisaged that the amounts to be charged for these services will be sufficient to recoup the Government for its net costs but not to lead to any profit being made. The advantage of the arrangement proposed is that a local authority requiring the services of an inspector and his equipment for, perhaps only 50 working days a year, will be able to obtain these services amicably and without any implication whatever of censure, and at *pro rata* rates. With these provisions in force, any local authorities which neither conduct an effective administration themselves nor arrange for the Government to do it for them would appear to have no cause for complaint if the provisions of section 43 are invoked in connexion with them.

As indicated, the second main object of the Bill is to improve the weights and measures law on bread. Great difficulties have been experienced in the administration of the present law, largely because loaves of ordinary and Vienna bread are required to be of different weights and shapes. In actual practice, there has been considerable difficulty in telling whether a loaf was of ordinary or Vienna bread, with consequent difficulty in determining the appropriate shape and weight for it. This has led to inspectors experiencing great difficulty in enforcing the law, in the public being left without reliable means of knowing the weights of which some loaves have purported to be, and in allegations of unfair competition by bakers who have claimed to be at a serious commercial disadvantage if they strictly observe the provisions of the Act.

As a counsel of perfection, it might well be preferred to have each permissible denomination of loaves at least double the weight of the next smaller denomination. However, there is a substantial tradition in Victoria in favour of allowing some loaves to be of denominations of 12 or 24-oz. although ordinary bread is required to be in loaves of 1, 2 or 4-lb. The Bill recognizes that 1, 2 and 4-lb. loaves should be regarded as the normal variety, such loaves being still able to be sold without any marking indicative of their quantity, the reasonable presumption being that a prospective buyer will be able to distinguish by visual examination between loaves of these denominations. The Bill also allows any kind of bread to be made in loaves of 12 or 24-oz., subject to marking of the loaves to indicate this. Moving somewhat away from tradition, it is also proposed to allow 8-oz. loaves, which it is felt may be welcomed by persons living alone or other small households. There are other provisions

designed to facilitate procedure for the checking of weights of loaves of bread, while at the same time giving bakers protection against prosecution for small deficiencies in unreasonably small samples of loaves.

As the Act stands, any person selling bread either by wholesale or by retail can be prosecuted if the loaves are not of correct weight. In many cases, it is not possible to establish the identity of the maker or wholesaler, who can properly be regarded as the real offender, leaving the administration with no recourse except against the retailer who, although undoubtedly offending against the law, may well be doing it without improper intent. The Bill includes provisions intended to rectify this, by requiring the marking of loaves for identification of the makers. These identifying markings are also given evidential status for the purposes of the Health Act and the Bread Industry Act.

As mentioned earlier, the opportunity is also being taken of dealing with a number of matters in which it is considered that the effectiveness of the Weights and Measures Act can be improved. Some of the matters dealt with can be regarded as in the nature of machinery modifications, which do not affect the general intentions of the Act but are intended to remove difficulties arising from verbiage, legal interpretations and the like. A second group of these provisions in effect extends provisions of the Local Government Act, regarding conflict of interest and also auditors, to weights and measures unions.

A third group is designed to ensure that traders have the right to have their weighing and measuring equipment verified on their own premises, instead of having to take it to an inspector's office, and to ensure that equipment liable to damage or impairment of accuracy when transported can be required to be tested in its place of use. The Bill also gives power for fees to be charged for sundry licences and the like, now issued without charge by the Weights and Measures Branch and also gives the central administration power to prosecute, in connexion with offences detected in the general supervision of the local administration.

The whole of the Bill is intended to improve the administration of the Weights and Measures Act and to increase the effectiveness of the protection given to the general public against improper trading practices. It is therefore hoped that the Bill will be given a speedy passage.

On the motion of Mr. STONEHAM (Leader of the Opposition), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

WARRAGUL (PUBLIC PARK) LANDS BILL.

Mr. BALFOUR (Minister of Lands).—By leave, I move—

That the Order of the House making the resumption of the debate on the second-reading of the Warragul (Public Park) Lands Bill an Order of the Day for to-morrow be read and rescinded, and that it be made an Order of the Day for this day.

The motion was agreed to.

The debate (adjourned from March 7) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—As a co-operative Opposition when circumstances demand, we are pleased to resume the debate on this Bill after a short adjournment. The Bill relates to certain lands at Warragul permanently reserved as a site for a public park and garden, and authorizes the granting of leases of a certain part thereof. The Minister explained that an area of approximately 29½ acres was originally reserved as a public park and gardens in 1889. Some interesting developments have taken place since then.

Sections of the reserve have been laid out as lawns and gardens; a tourist camping ground, with the usual amenities, such as a dining hut, laundry facilities and a toilet block has been developed; a children's playground and a soccer field have been created; and sections of the area have been laid out as tennis courts, croquet lawns, and a bowling green.

It is proposed that certain land shall be added to the reserve and that an area of approximately five perches shall be excised from the reservation. The net result will be that instead of the area of the reservation being 29½ acres, it will be more than 33 acres.

Recently, the bowling club had the misfortune to lose its club house in a fire. The local municipal council has agreed to lend the club $12,000 to enable it to replace its club house, and this Bill is necessary in order that the bowling club may be granted a long-term tenure of its area. For that reason, the preamble states, *inter alia*—

And whereas it is expedient to appoint the corporation of the council of the Shire of Warragul committee of management of the said lands described in the First Schedule and to authorize it to grant leases of that part of the said land indicated in the Second Schedule.

Clause 4 provides, *inter alia*—

(3) Notwithstanding anything in any Act and upon submission to the Minister of Lands of a plan or plans of survey signed by the Surveyor-General corresponding as nearly as practicable with the plan showing the area of 1 acre 2 roods more or less indicated by black hatching in the Second Schedule and upon the Minister of Lands being satisfied that the plan or plans do so correspond the council as committee of management may from time to time grant leases of the land shown in the said plan or plans of survey for the purposes of a bowling club for amusement and recreation and for amenities connected therewith.

(4) A lease under this section—

(*a*) shall be subject to such covenants conditions exceptions and reservations as the council thinks fit;

(*b*) shall be for a term not exceeding twenty-one years;

(*c*) shall if the term exceeds three years be subject to approval by the Governor in Council.

Mr. Stoneham.

The Labor Party appreciates the anxiety of those directly concerned with these matters to have this legislation enacted. Within the time at its disposal to examine the position, it has satisfied itself that everything is as it should be and consequently it offers no opposition to the passage of the Bill.

Mr. COCHRANE (Gippsland West). —This may be termed a small Bill, but it is one of considerable importance and interest to the people of Warragul. The fact that the area under consideration was reserved for recreational purposes as far back as 1889 indicates the foresight of the legislators and civic-minded people of the early days. The area is south of the railway line at Warragul. Just north of the railway line is perhaps one of the most progressive towns in Gippsland. I say that without reservation. Over the past seventeen years, the progress in the area has been phenomenal, and I sincerely hope that, in the seventeen years following the 29th April next, this progress will be maintained.

The Bill will remove some of the anomalies which have come into existence over the years. An unused road which originally formed the northern boundary of the area runs east and west through the original reservation. Part of it was closed in 1895, and a further section was closed in 1920. It is usually regarded as part of the reservation, and very few people know that the roadway exists. The Bill will revoke the reservation of this land as a roadway, and its area will become part of the main reservation.

A small area of about 5 perches at the western end of the road was included in a sale of land including allotments 14 and 15, and a small area of the road, the reservation of which is to be revoked, cuts across the frontage. The Lands Department sold two blocks of land which did not have access to a Government road. When the reservation of the unused road is revoked, the people concerned will have legal access to a bitumen

road. The net result of what is proposed by the Bill will be that approximately 4½ acres of land will be added to the area of the reservation, thus increasing the total area from approximately 29½ acres to approximately 34 acres. This increase in area will be of considerable benefit to the residents of Warragul and the surrounding district.

The area has been used as a public park and garden, and there is a good and popular camping park within the reservation. The local bowling club holds land in the western section of the reservation, and close to its land is a small area which is more or less detached from the rest of the reservation bceause of a depression. This area of a quarter of an acre is to be added to the bowling club site, thus increasing it from 1¼ acres to 1½ acres. This will provide the bowling club with the opportunity to create more amenities.

The club house of the bowling club was damaged by fire some time ago and the local municipal council will make available a loan of $12,000 to enable it to rebuild the club house. Therefore, the Bill makes provision for the bowling club to obtain a long-term tenure of the area it occupies, and that will protect the interests of both the club and the municipality.

The reservation will be under the control of the Warragul Shire Council which will probably grant the bowling club a 21-year lease. The club will therefore be justified in building a club house of good standard and providing various other amenities. It is appropriate that the council should control the reservation on which so many organizations conduct their activities. The area in question is adjacent to the Warragul High School. The frontage to it is known as Bourke-street, which is a bitumenized road, and on the opposite side of the street is located the high school and the technical school. There are also registered schools close by. There is a good deal of activity in the vicinity. The reserve is used by the scholars of the various schools for sporting and recreational activities.

The facilities at the tourist camping ground have been used extensively during the past twelve months by certain technical officers and gangs of the State Rivers and Water Supply Commission who have been employed on the work of designing and constructing the new reservoir at Neerim. The area has been popular with the various governmental authorities and its use by them has created quite an atmosphere in the district. On behalf of the Country Party, I wish the Bill a speedy passage. I hope it will prove beneficial to Warragul and district.

The motion was agreed to.

The Bill was read a second time and committed.

The clauses and the schedules were agreed to.

Preamble.

Mr. STONEHAM (Leader of the Opposition).—The opening recital in the preamble states—

> Whereas by an Order in Council dated 12th March, 1889 certain Crown lands at Warragul were permanently reserved as a site for a public park and garden:
>
> And whereas the Council of the Shire of Warragul was appointed committee of management of the said lands by the Board of Land and Works on 6th May, 1889:

Will the Minister of Lands inform the Committee of the precise purposes of such a reservation in its modern concept? Furthermore, can the honorable gentleman say whether the various improvements effected to the area have been undertaken in contravention of the regulations? Does the fact that the land is described as a site for a public park and garden mean that it must be used only for such purposes and that it must remain undeveloped in all other respects?

Mr. BALFOUR (Minister of Lands).—Yes. Because improvements to the reserve include a children's playground and various sporting facilities, it is necessary to vary the purposes for which the reservation may be

used to cover this development. It was felt that the present use of the area contravened the regulations relating to this reservation. From an examination of the regulations under which the committee of management was operating, it became apparent that even balls could not be thrown into the air, nor could sport be played on the reservation.

Mr. STONEHAM.—Would the same situation apply to other reservations throughout the State?

Mr. BALFOUR.—It could apply to other reservations and, as they are coming under review, the Government is trying to rectify the position. Clause 3 of this Bill provides for the revocation of the original reservation of 1889 and for the reservation of the area defined in the First Schedule to the Bill as a site for a public park and garden, and for recreation and camping purposes. This will designate the area more accurately in accordance with its present-day usages.

The preamble was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

ADJOURNMENT.

RAILWAY DEPARTMENT: FENCING OF ALBION–BROADMEADOWS LOOP LINE —EDUCATION DEPARTMENT: PAYMENT OF TEACHERS—DECENTRALIZED INDUSTRIES: HOUSING OF KEY PERSONNEL—GEELONG SPASTIC CHILDREN'S CENTRE: GOVERNMENT SUBSIDY—STATE RIVERS AND WATER SUPPLY COMMISSION: DIVERSION OF WATER FROM SNOWY RIVER—ABORIGINES WELFARE BOARD: HOUSING OF ATKINSON FAMILY AT ECHUCA.

Mr. RYLAH (Chief Secretary).—I move—

That the House, at its rising, adjourn until Tuesday next, at half-past Three o'clock.

The motion was agreed to.

Mr. RYLAH (Chief Secretary).—I move—

That the House do now adjourn.

Mr. GINIFER (Grant).—Grave concern has been expressed to me concerning the condition of the fencing of the railway line in the East Keilor and Airport West sections of the western metropolitan area. On 1st March of this year, as reported at page 3195 of *Hansard,* I asked the Minister of Transport—

How many trains per week use the Albion–Broadmeadows loop line, indicating the number of broad-gauge and standard-gauge trains, respectively?

In reply, the honorable gentleman stated that a total of 275 trains per week used the line, including 115 on the broad-gauge and 160 on the standard-gauge tracks. The fencing of this loop line, particularly where it abuts the streets in this area, is in poor condition. In four places, namely, in Halsey-road, Airport West, Parer-road, Airport West, Berembong-drive, Keilor East, and Cudgewa-place, Keilor East, the fence is either completely broken or lying on the ground. I ask the Minister of Transport to take appropriate action to ensure that the fence is repaired at least at these four locations. The fence would normally be termed a country rail fence.

Mr. WHITING.—A post and wire fence.

Mr. GINIFER.—Yes, with droppers.

Mr. HOLDEN.—What type of wire is used in the fence?

Mr. GINIFER.—Standard gauge wire. The Albion–Broadmeadows loop line is busy and in view of the fact that it passes through a built-up section of the metropolitan area, I consider that the fence protecting it should be constructed to a standard that would be equal to that of fences normally erected in a residential area. It is necessary that a proper fence should be provided on this busy railway line, not only to keep cattle and sheep off the railway tracks, but also to prevent children from wandering on to the line, thereby forcing the drivers of trains to stop their trains and remove the children before proceeding. I hope

the Minister of Transport will give favourable consideration to my request.

Mr. WHITING (Mildura).—I should like to raise a matter with the Minister of Education. It has come to my notice that the pay cheques for school teachers in the Mildura district have been arriving late in the week and sometimes at week-ends. The late arrival of cheques creates a problem, particularly for younger teachers who wish to travel away, perhaps for a week-end, from the town in which they are teaching. It also causes inconvenience to teachers who are involved in endeavouring to cash pay cheques on Saturday. At the Mildura technical school alone there are some 70 teachers. They, and the other teaching staff throughout the district, are placed in an embarrassing position. This matter was brought to the notice of the Department some time ago, and for a period some improvement was evident, probably because the cheques were posted a little earlier than previously. As a result of occasional difficulties with mail deliveries to the district, the situation has reverted back to the position that had developed when the matter was first raised. It would appear that some effort should be made to post the cheques to the more remote areas as early as possible so that this situation will not arise in the future. The only other alternative would be to pay these teachers by cash, which would present considerable difficulties. I ask the Minister of Education to examine this matter with a view to expediting the posting of cheques to the remote areas of the State.

Mr. STONEHAM (Leader of the Opposition).—I wish to refer to the Government's alleged policy of providing housing for key personnel connected with decentralized industries. The firm of Seymour Auto Spares had great difficulty in securing the services of a leading welder. It now has a suitable man, who is living in Melbourne. In Seymour, there is a division of Housing Commission dwellings between military personnel and civilians. Although no civilian houses are vacant at present, I understand that some houses that have been reserved for military personnel are not occupied, and it would seem reasonable that one of those houses could be taken temporarily for civilian purposes. The application has been strongly recommended by the shire council, and by the Minister of State Development, but up to date the Housing Commission has not been able to house this man. Unless something is done soon, the firm feels that it may lose him. The Government either does or does not vindicate its policy of providing houses for key personnel connected with decentralized industries. I suggest that some early action should be taken to ensure that a house is provided for this man.

Mr. BIRRELL (Geelong).—At present an appeal to raise $120,000 has been launched for the purpose of erecting a spastic children's centre at Geelong. Recently, I attended a meeting to elect a committee, and was surprised to learn that, although capital grants are available for mentally retarded children's centres, a spastic children's centre has no claim to State support. There is a fine line between children who are catered for in a spastic children's centre and those who are cared for in a mentally retarded children's centre. I understand that mentally retarded children's centres obtain capital grants on a $4 to $1 basis. It seems to be rather lopsided that a centre which caters for spastic children should receive no Government support. I should like the Government to consider making a donation if it is approached by the committee to assist in its $120,000 appeal.

Mr. B. J. EVANS (Gippsland East).—I wish to refer to a question which I asked of the Minister of Water Supply on the 25th October, 1966, and which is recorded at page 1188 of the current *Hansard*. My question related to the powers of the New South Wales Government to conserve

water in the Snowy river catchment below the Jindabyne dam and north of the Victorian border. The answer furnished by the Minister was—

> The question of the legal powers of the State of Victoria to intervene to restrain the New South Wales Government or other authorities or persons from impounding or diverting the water of the Snowy river or its tributaries in the area mentioned has been referred to the Crown Solicitor for his advice. When this advice is received, the Government will give further consideration to the matter raised by the honorable member.

I again direct this important matter to the attention of the Minister and ask whether the Crown Solicitor has yet expressed his opinion on the matter; if so, what is the opinion.

Mr. R. S. L. McDONALD (Rodney).—I wish to bring to the notice of the Chief Secretary a matter which concerns the Minister of Housing who is in charge of Aboriginal welfare. I refer to a family named Atkinson at Echuca. There are eight children in the family, five of whom are of school age. They live in a house which was condemned two years ago and is a disgrace to the Aborigines Welfare Board and the Housing Commission. The family has been told by the Commission that it will not receive a Housing Commission home. I consider that the family should be assisted by the Aborigines Welfare Board. Aborigines must be made to realize their responsibilities, and although it was proposed that welfare committees should inform Aborigines on such matters, these committees have not been established. This man may be a "no-hoper", but the children should not be raised as "no-hopers" merely because they are inadequately housed. I ask the Chief Secretary to bring this matter to the notice of the Minister of Housing.

Mr. MEAGHER (Minister of Transport).—I must confess to some fascination at the picture painted by the honorable member for Grant of cattle and sheep wandering on to the railway line in a densely populated industrial area. However, I shall be happy to examine the location to ascertain what can be done to assist him.

Mr. RYLAH (Chief Secretary).—I shall direct the attention of the Minister of Education to the problem of pay cheques for teachers in the Mildura district. I shall also speak to the Minister of State Development in regard to the matter raised by the Leader of the Opposition relating to the housing of a welder in Seymour.

I assume that the honorable member for Geelong has already spoken to the Minister of Health about his problem and that he has not had a satisfactory answer. However, I shall confer with my colleague and ascertain the position. I have not previously heard of the matter raised by the honorable member for Gippsland East although I am usually informed when problems are referred to the Crown Solicitor. I shall examine this position and refer the the matter to the Minister of Water Supply.

I have no doubt that the problem of the Atkinson family at Echuca has been directed to the attention of the Minister of Housing, but at the request of the honorable member for Rodney I shall mention the problem to him again and ascertain the situation.

The motion was agreed to.

The House adjourned at 12.5 *a.m.* (*Thursday*) *until Tuesday, March* 14.

Legislative Council.

Thursday, March 9, 1967.

The PRESIDENT **(the Hon. R. W. Mack)** took the chair at 11.25 a.m., and read the prayer.

WATER (AMENDMENT) BILL (No. 2).

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

LEGAL PROFESSION PRACTICE (VICTORIA LAW FOUNDATION) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. Thompson (Minister of Housing), for the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

PUBLIC OFFICERS (LONG SERVICE LEAVE) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), was read a first time.

LAND (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

WARRAGUL (PUBLIC PARK) LANDS BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

EDUCATION DEPARTMENT.

WANGARATTA STATE SCHOOL NO. 643: CLOAKROOM: NEW FENCE.

The Hon. A. K. BRADBURY (North-Eastern Province) asked the Minister of Agriculture—

(*a*) Has a tender been let to carry out repairs to the cloakroom at Wangaratta State School No. 643; if so—(i) when; (ii) what is the nature of repairs to be carried out; (iii) who is the successful tenderer; and (iv) when will work commence?

(*b*) Has a tender been let to erect a new fence at the rear of the school; if so—(i) when; (ii) who is the successful tenderer; and (iii) when will work commence?

For **the Hon. G. L. CHANDLER** (Minister of Agriculture), the Hon. L. H. S. Thompson (Minister of Housing).—The answers are—

(*a*) (i) A tender has not yet been let.

(ii) The work to be done involves the demolition and rebuilding of the cloakroom.

(iii) and (iv) It is hoped that work will commence before the end of this financial year.

(*b*) No. However, a notice to fence will be served on one of the adjoining owners, before the end of this week, in respect of a section of the fence at the rear of the school. The disposal of a small block of land, adjacent to the rear boundary of the school, is at present under consideration.

Until this matter is resolved arrangements for the erection of a new fence along the remaining section of the rear boundary must, of necessity, be deferred.

TRANSFER OF TEACHERS.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

Are there any restrictions imposed by the Education Department on teachers within the Department from applying and obtaining a transfer to a council-controlled senior technical school or college; if so, what are the restrictions and when were they imposed?

For **the Hon. G. L. CHANDLER** (Minister of Agriculture), the Hon. L. H. S. Thompson (Minister of Housing).—The answer is—

There is no restriction on teachers within the Department applying for positions at council-controlled technical colleges. Appointment to such positions requires the approval of the Minister of Education, who must consider the over-all staffing position. There is no restriction on transfers which take place at the beginning of a school year. When such appointment involves the transfer of a teacher during the school year, consideration must be given to the over-all staffing position. If the teacher's position in the Education Department can be filled there is no restriction on his transfer, but if not his transfer may be deferred until replacement is possible. In some cases this means deferment until the end of the school year.

EDUCATION.

INDEPENDENT SCHOOLS: CAPITAL WORKS: SUBSIDIES.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

What payments have been made to private schools to pay interest on capital works to date, and what schools and what amounts were involved?

For **the Hon. G. L. CHANDLER** (Minister of Agriculture), the Hon. L. H. S. Thompson (Minister of Housing).—The answer is—

No payments have been made to date. Of the 38 independent schools involved in secondary school building projects in 1966 and which were approved for subsidy purposes, eight schools have furnished firm details of their borrowing arrangements and in these cases subsidy payments are being calculated and the initial payments to the schools will be made shortly.

In respect of the remaining cases, further details concerning the borrowing arrangements by the school authorities are required to determine the annual subsidy payments and the matter is currently the subject of correspondence with these schools.

DECENTRALIZED INDUSTRIES.

SUBSIDIES AND LOANS.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

What industries received subsidies and loans from the Decentralization Fund in each of the past ten years, giving the name and location of each industry, to whom the subsidy or loan was made, and for what purpose?

For **the Hon. G. L. CHANDLER** (Minister of Agriculture), the Hon. L. H. S. Thompson (Minister of Housing).—The answer is—

The names of industries receiving financial assistance from Government sources are confidential. However, their locations can be indicated, but as the list is lengthy, it is proposed to provide the information by letter, which will go forward to the honorable member almost immediately.

FREIGHTS SUBSIDIES COMMITTEE: FUNCTIONS: GRANTS.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture)—

Who are the members of the Freight Subsidies Committee, what is its function, and to whom has it granted benefits during the last financial year?

For **the Hon. G. L. CHANDLER** (Minister of Agriculture), the Hon. L. H. S. Thompson (Minister of Housing).—The answer is—

Mr. P. K. Hedger, senior investigation officer, Division of State Development (chairman);

Mr. H. Sheahan, administrative assistant, Transport Regulation Board;

Mr. A. Morison, principal rates officer, Victorian Railways;

Mr. I. G. Baker, economist and State co-ordinator of works, Treasury Department.

The committee's function is to examine and report to the Minister of State Development on all applications from decentralized secondary industries for rail freight concessions over and above those normally available by virtue of being in possession of the Minister's certificate as an approved decentralized secondary industry.

During the financial year ended 30th June, 1966, 39 industries received benefits as a result of recommendations made by the committee. The names of the industries are confidential, but their locations can be stated, as under—

Ararat.
Ballarat (five).
Hamilton.
Bendigo (four).
Benalla.
Wonthaggi.
Tatura.
Horsham.
Kyneton.
Shepparton.
Creswick.
Port Fairy.
Wangaratta.
Warrnambool.
Maryborough (four).
Yea.
Traralgon (two).
Morwell (two).
Newstead.
Wedderburn.
Moe (two).
Clunes.
Stawell.
Portland (two).
Rutherglen.

SCHOOL DENTAL SERVICE.

TREATMENT PROVIDED: VISITS OF UNIT TO GIPPSLAND.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Health)—

(*a*) What services does the school dental unit give at schools visited in the remote areas of Gippsland?

(*b*) Does it visit such schools at regular intervals?

The Hon. V. O. DICKIE (Minister of Health).—The answers are—

(*a*) Subject to parental consent, children in primary classes are given dental treatment directed to the preservation of natural teeth. The treatment afforded consists of cleaning and polishing, amalgam and porcelain fillings, and extraction of teeth too badly decayed to be preserved.

(*b*) Return visits are made to these schools annually.

HOSPITALS AND CHARITIES COMMISSION.

HOSPITAL DEFICITS AND BANK OVERDRAFTS.

The Hon. A. K. BRADBURY (North-Eastern Province) asked the Minister of Health—

(*a*) Has he appointed a committee to investigate the administration and serious financial position of the maintenance of hospitals; if so—(i) who comprises the committee; and (ii) has the committee made any report to him or when does he expect a report?

(*b*) Will he give an undertaking that the high standard of efficiency and service will be maintained in our hospitals?

(*c*) In view of the answers to Question No. 10 asked in the House on the 7th instant, and the serious financial positions of hospitals, when does the Government expect to be in a position to announce its proposals to meet the increases in hospital costs as a result of the recent salaries and wages increases?

(*d*) In view of the increased charges for hospitalization announced last year having failed to have the desired effect to meet the acute financial position of hospitals, will the Government make a supplementary grant to the Hospitals and Charities Commission to meet the $6,301,456 bank overdrafts plus the recent increases in salaries and wages?

The Hon. V. O. DICKIE (Minister of Health).—The answers are—

(*a*) No.

(*b*) The committees of management of the public hospitals are responsible for the maintenance of standards of efficiency and service. I can see no reason why they will not continue to maintain the present standards.

(*c*) and (*d*) These matters are still under consideration and an announcement will be made as soon as possible. However, it must be realized that some time must elapse before it is possible to assess the effect of the remedial measures (legislative and others) that have been taken only recently by the Government to alleviate the financial position of hospitals.

STAMPS (AMENDMENT) BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

Last December, this House passed a Stamps Bill, the purpose of which was to reduce the rate of stamp duty on hire-purchase agreements from 2 per cent. to 1½ per cent., and also to bring within the ambit of the dutiable field certain other arrangements which were or could be used as alternatives to hire purchase. At the time, a number of suggestions regarding amendments to the legislation were made by people outside Parliament, representing the Victorian Taxpayers' Association and various sections of the business and commercial sector. A number of these amendments were adopted and others were rejected. It was also stated that further investigations would be made, and as a result of those investigations this Bill comes before the House.

Many business firms operate budget accounts and also adopt the practice of charging interest on overdue accounts. Under the legislation as it now stands, those firms would be required to pay 1½ per cent. stamp duty.

The Hon. J. M. TRIPOVICH.—What is the rate of interest chargeable to bring them under the provisions of the Stamps Act?

The Hon. L. H. S. THOMPSON.—The rate of interest varies, and there is no limit. At present, a budget account of under $200 is exempt, but no limit was placed on the interest rate. However, the general limit applying to loans is 9 per cent.

Sir PERCY BYRNES.—When I referred to this matter in my second-reading speech on the previous Bill, Government supporters were unanimous in telling me that I was wrong. Even the Minister for Local Government, for whom I have the greatest respect, did not agree with me.

The Hon. L. H. S. THOMPSON.—The Government always respects Sir Percy Byrnes's wisdom. It is pro-

posed by this Bill to exempt credit arrangements under which the per annum simple interest rate is less than 9 per cent. This covers the objection raised by those business houses which charge low rates of interest on overdue accounts. A number of other objections have been raised since the Act came into operation, and they are being carefully considered. If necessary, further amendments will be made to the legislation.

The Hon. A. K. BRADBURY.—Is this trial and error?

The Hon. L. H. S. THOMPSON.—It is the function of Parliament to review legislation progressively. The Government has never closed its ears to intelligent, constructive suggestions. I commend the Bill to the House.

On the motion of the Hon. Archibald Todd, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

TULLAMARINE FREEWAY LANDS BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

It deals with certain Crown lands and lands owned by municipalities on the route of the so-called Tullamarine Freeway, which is being constructed in three sections, two of which are the responsibility of the Country Roads Board and the third of which—the inner section—is the responsibility of the Melbourne and Metropolitan Board of Works.

The first section, from the present Essendon aerodrome out to the new Tullamarine jetport, is well under way and will be completed shortly. The second section, known as the Strathmore by-pass, will be constructed by the Country Roads Board. Preliminary work has started, and it is expected that the job will be completed by the time the jetport is open to passenger traffic. The third section is the one with which this Bill deals. That is the southern section which extends from Flemington-road to the intersection with Bell-street, a distance of about $3\frac{1}{2}$ miles, and proceeds generally through sections of the Cities of Melbourne, Essendon, Brunswick and Coburg, with a small section in the City of Broadmeadows at the northern end.

On 4th October, 1966, the Governor in Council approved a recommendation by the Board of Works, in accordance with section 206 of the Melbourne and Metropolitan Board of Works Act 1958, that a new metropolitan main highway be constructed between Flemington-road and Mount Alexander-road in the City of Melbourne and a point about 300 ft. north of Greenbank-crescent in the City of Coburg, at an estimated cost of $17,000,000, which would cover the purchase of land and the making of the highway.

The lands required for this work can be divided into four main categories. The first type is unreserved Crown land; the second is Crown land which has been reserved for various purposes under the provisions of the Lands Act; the third is freehold land in private ownership; and the fourth is freehold land which may come within the scope of the Cultural and Recreational Lands Act. The Bill deals principally with the second and fourth types of land.

The areas of reserved Crown land which the freeway will traverse comprise the following:—

(*a*) An area of just over 60 acres in the City of Melbourne, Parish of Jika Jika, temporarily reserved as a site for a hospital for acute mental diseases;

(*b*) three areas in the City of Brunswick containing respectively $1\frac{1}{2}$ acres, $3\frac{1}{2}$ acres and $7\frac{3}{4}$ acres temporarily reserved as sites for public purposes; and

(*c*) an area of about $8\frac{3}{4}$ acres in the Parish of Doutta Galla permanently reserved as a

site for a public park and playground, and known as the Cross Keys Reserve.

It has been estimated that about 5 acres of the land reserved for a hospital for acute mental diseases will be required, and advice has been received from the Mental Health Authority that arrangements have been made with the Board of Works for a compensating area to be transferred to the Crown for reservation, as an addition to the hospital reserve. Under the Board's general planning scheme for the metropolis, an area was ear-marked for that purpose some years ago.

Sections of the temporary reservations in the City of Brunswick will be required by the Board either for the highway route or for diversions of Moonee Ponds creek which will need to be made in connexion with the construction of the highway. These reserves are composed practically wholly of frontages to the Moonee Ponds creek or backwaters thereof, which were temporarily reserved under the Land Act after the adjacent lands had been subdivided for sale as sites for workmen's homes. That must have been some time ago. One temporary reservation for public purposes by Order in Council of 19th November, 1918, refers to an area of 1½ acres situated adjacent to Moonee Ponds creek on the north side of Dawson-street, Brunswick. This reserve will be affected by creek diversion works.

The other temporary reservation for public purposes by order of the same date relates to an area of 3½ acres situated adjacent to a section of Moonee Ponds creek, located between Hope-street and Albion-street. Parts of this reservation will be required for both highway construction and creek diversion works. There is also a dual requirement for parts of the area of 7¾ acres temporarily reserved for public purposes by Order in Council of 6th April, 1903, as it will be necessary to use parts of the reserve for highway construction and street diversion works. It is situated adjacent to Moonee Ponds creek, in the vicinity of Hopetoun-avenue, between Albion-street and Moreland-road in the City of Brunswick.

The only other Crown reservation affected by the Board's highway construction proposals is the Cross Keys Reserve, which is located on the west side of Moonee Ponds creek, and has a frontage to the south side of Woodland-street in the City of Essendon. This includes two sections which were originally divided by a Government road forming an extension of Reynard-street in the City of Coburg. The old Government road extension was replaced in recent years by a new road in another location through the reserve, but the order for the permanent reservation was based on the original temporary reservation details.

The original road area has been filled, grassed and laid out as part of the recreation area and, as further reconstruction works on the new road will be required to be carried out by the Board in connexion with this project, the opportunity is being taken in the Bill to rectify the position so that the old road extension will be included in the reserve to replace the area occupied by the new road route which will be excised from the reservation.

The only other proposed excision from this reserve is a small area of under a quarter of an acre in a narrow, undeveloped section in the north-eastern corner adjacent to the creek, which will be required as part of the route of the highway. Allowing for a width of 1 chain for the new location of Reynard-street extension through the reserve, the area required for that purpose would be about three quarters of an acre and as the area of the section of the original extension now proposed to be included in the reserve is more than 1½ acres, it will be realized that, as a result of the proposed adjustments, the area of the park will increase by more than half an acre.

So far as the temporary reserves for public purposes are concerned, it is difficult in this case—and there have been similar cases before—to estimate the actual areas which will be affected by the Board's freeway proposals. The Bill therefore proposes that the Board shall be authorized to enter upon and use the parts of the reserves necessary for the purpose of the highway construction and allied works, and that the required excisions will be made after the works have been completed, with the areas to be defined on a plan or plans of survey signed by the Surveyor-General and submitted to the Governor in Council on the recommendation of the Minister of Lands.

As part of the highway construction project, the course of the Moonee Ponds creek, which is vested in the Board, will be diverted in several places, and provision has been made in the Bill that the new sections of the creek's course will be vested in the Board and become part of the creek for the purposes of the Melbourne and Metropolitan Board of Works Act.

The third type of land dealt with by the Bill is land which comes within the scope of the Cultural and Recreational Lands Act. It was considered necessary to include in the Bill a provision authorizing the Board of Works to acquire any such lands required for the purposes of the highway construction, in event of agreement not being reached between the Board and the owners of the land. The lands in respect of which this provision is made are listed in the First and Second Schedules to the Bill.

Apart from the land referred to in item 6 of the First Schedule, which is owned by the Housing Commission, and the areas named in items 8, 9 and 10 of the Second Schedule, which are owned by the Moonee Valley Racing Club, all the lands listed are owned by the municipal councils of Essendon, Brunswick or Coburg. The Board has advised that the Essendon City Council has indicated its agreement to the proposals, but, as no specific agreement has been reached as yet, it was deemed expedient to include lands such as these within the provisions of the Bill.

Some of the areas affected by the freeway route are at present improved as parkland and recreation sites. They comprise principally Ormond Reserve in the City of Essendon and Holbrook and Denzil Don Reserves in the City of Brunswick, and the Board proposes, as part of the project, to replace the required sections of these improved areas by the development of other lands.

The House is assured that the principle of full replacement will be applied in this and other projects. The Bill does not specifically provide for the replacement of open spaces acquired, but this is made absolutely sure in another way. Under section 287 of the Melbourne and Metropolitan of Works Act, when the Board proposes to carry out works in a municipal area, it must notify the municipal council concerned if those works affect roads or reserves owned by the council, and the council and the Board are required to reach agreement if they can. The council has 90 days in which to lodge objections if it so desires. Of the five councils affected by the Tullamarine proposal, three —Melbourne, Essendon and Broadmeadows—do not object. The other two—Coburg and Brunswick—lodged objections to certain aspects of the proposal.

Parts of those objections related to reserves which were owned by the councils and which the freeway would traverse. It was made clear that the councls' main concern—it was a proper concern—was about the land they would receive to replace the open space they would lose. Under section 207, the Governor in Council is required to determine points of difference between the Board of Works and the councils concerned. In each of these two cases, an Order in Council has been made determining the differences, partic-

ularly those relating to the replacement of open spaces. I give the House an assurance that, at the expense of the Board, there will be full replacement of all open spaces acquired for the freeway.

The Hon. J. M. TRIPOVICH.—Can you say whether the replacement land will be in the same area as the land acquired by the Board, and not 3 miles away?

The Hon. R. J. HAMER.—It will be as close as possible. I shall supply details to Mr. Tripovich, if he so desires.

The Hon. J. M. TRIPOVICH.—I am concerned with this aspect, because we do not want to lose the existing parklands. If parklands must be used for these purposes, they should be replaced.

The Hon. R. J. HAMER.—The map which I shall supply to Mr. Tripovich, and the details concerning the proposal, will indicate that the replacement areas are reasonably close to, and within reasonable access of, the land which is being acquired. In addition, certain undeveloped areas, mainly along the Moonee Ponds creek, have been reserved in the Metropolitan Planning Scheme as proposed public open space. The areas which will be used for the freeway will be replaced—not necessarily alongside the creek, but certainly within the municipalities concerned—by agreement between the Board of Works and the Brunswick and Coburg councils.

The Hon. M. A. CLARKE.—Did you say earlier that the Moonee Valley Racing Club would lose a portion of its racecourse?

The Hon. R. J. HAMER.—The Club will lose some territory and gain some.

The Hon. M. A. CLARKE.—Has the Club objected to the proposal?

The Hon. R. J. HAMER.—No; it is in full agreement with it.

The Hon. G. J. O'CONNELL.—It will lose an area towards the bottom of the course.

The Hon. R. J. HAMER.—Yes, and a small area on the Dean-street side. On the other hand, with the diversion of the creek, the Club will gain an area of land which is now a loop of the creek.

The second-reading explanatory notes which have been circulated on this Bill are not quite up to date on this point, as there have been further developments since they were prepared. With the exception of 4 acres in each of Coburg and Brunswick which are still to be negotiated but which the Board of Works is obliged to find and transfer to the councils concerned, the actual areas to be replaced at the expense of the Board have been designated by the Orders in Council which I have mentioned.

The principle that has been adopted—I hope it always will be—means that it will not necessarily be the cheapest means of construction for a freeway to go through open space, although it may be the most convenient. The Board's planning scheme provides for the construction of a number of new main highways, many of which will run alongside creeks. This will be convenient, but it may not be the least expensive method to adopt because replacement land must be located, purchased and handed over to the citizens of the areas concerned. I regard that as fundamental.

I have explained the three main proposals embodied in the Bill. It authorizes the Board of Works to enter on Crown reserves and carry out works, to acquire lands needed for the freeway, and to divert the Moonee Ponds creek. I am sure honorable members appreciate that this is an extremely important project. It has often been called the "Tullamarine Jetport Freeway". It is nothing of the kind.

Although the freeway will connect with the approaches to the jetport, it would be required, even if there were no jetport at Tullamarine, to serve the future needs of the northern areas, particularly the growing suburb of Broadmeadows and areas beyond. The freeway is

needed, and the fact that jetport traffic will traverse it is incidental to its importance; in fact, it will comprise only a relatively small proportion of the traffic.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

LAND (SURF LIFE SAVING ASSOCIATION) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—The Labor Party supports this Bill with a great deal of pleasure. The Victorian State Centre of the Surf Life Saving Association of Australia, which is in the course of incorporation under the Companies Act, has a solid and magnificent background of twenty years' service to swimming and to those people who enjoy bathing on our beaches, not only around Port Phillip Bay, but also elsewhere along the Victorian coastline.

Its aims and objects are, among other things, to promote, advance and control the work of life saving, the resuscitation of apparently drowned persons, and the application of first-aid on surfing beaches; to look after and provide efficient life-saving equipment of standard design; to foster, regulate, organize and manage examinations and competitions and such events that are associated with surf life-saving; to purchase or take on lease any property which is necessary for the carrying out of the plans and objects of the club and the Association as a whole, and, finally, to do all such acts and things as are incidental or subsidiary to all or any of the previous objects to which I have referred.

I have outlined in cold, hard terms the work of the Association, but it has a magnificent history of service to the community. When one sees the work performed by life-saving clubs throughout Australia, not only in the glorious name of sport, but also by way of service, it is not difficult to understand why the true Australian usually adopts sport or life saving as one of his chief interests in life. Active participation in sport, produces not only fine specimens of manhood, of which all Australians can be proud, but also men who are steeped in service to the community.

I know of no experience that I have had with a life-saving club that has not made me feel warm within. When engaged in activity of this type, young people are seen at their best, not only enjoying themselves, but also performing a necessary service to the nation. Life-saving clubs from Anglesea to Sale, or even beyond, are affiliated with the Victorian State Centre. In fact, clubs function all along the coastline—at Apollo Bay, Barwon Heads, Point Lonsdale and elsewhere. A number of life savers have informed me that the Torquay surf beach is as good as any in the world.

Victoria's beaches should be publicized more. From a publicity point of view, we suffer by comparison with the northern States. Excellent publicity is given to the beaches at Manly, Bondi, Maroubra, Dee Why, Palm Beach and other New South Wales coastal resorts. Victoria has some excellent beaches. The Torquay beach, to which I earlier referred, is excellent, and in recent years Lorne has been improved out of all sight. No doubt, Mr. Thom, who is an old "surfie", will supply more information on this aspect. Mr. Thom is a popular member of quite a few surf life-saving clubs; he likes to visit the beaches and mix with the young people—this keeps him young at heart.

The Hon. SAMUEL MERRIFIELD.—Probably, he goes to the beaches to wash his ankles.

The Hon. D. G. ELLIOT.—It was not nice of my colleague to make that reference of Mr. Thom. I am speaking of a man who is steeped in the tradition of life-saving clubs, and we should pay due respect to his support of the Victorian life-saving organization.

In his explanatory second-reading speech, the Minister stated that the aggregate membership of surf clubs in Victoria was of the order of 3,000. More than half of those members are active surf life savers—a truly great record. Members of our party have nothing but praise for this measure.

Every member agrees with about 95 per cent. of the Bills that are introduced in this Chamber. Members of our party try to help the Government as much as possible, but the press seems to magnify our differences and to minimize our agreements. We are in accord with the majority of measures that are placed before us, although at times there might be some minor disagreements. We might discover an error, or Mr. Feltham might astutely find a misplaced word which makes a significant difference to the meaning of a Bill. The fact that we are in agreement with the vast majority of Bills that pass through this Chamber is deserving of some publicity. The press reporters may have honest feelings; some of them could be members or supporters of the Labor Party, the Country Party or the Liberal Party, but, on occasions when the sub-editorial pencil goes through their copy, a different impression of what goes on in this Chamber or in another place is conveyed.

The Hon. V. O. DICKIE.—Last night your "boots were made for marching"!

The Hon. D. G. ELLIOT.—I am gratified that, after many years, the Minister could refer to me as "the Hon. Uncle Doug". On a previous occasion, the honorable gentleman was not too kind to me. However, time heals all wounds—and wounds all "heels"! Time also gives us an appreciation of the manner in which you, Mr. President, preside over this Chamber. I am sure you will agree with the passage of this Bill because it concerns activities of surf life-saving clubs in your district, and I know that it expresses your sentiments in regard to this matter. Members of our party support the Bill with pleasure and heap praise on the persons who had any part in framing it.

The Hon. M. A. CLARKE (Northern Province).—Members of the Country Party also support this Bill.

The Hon. W. R. GARRETT.—There is a great surfing area on the River Murray!

The Hon. ARCHIBALD TODD.—I remind Mr. Garrett that Mildura sent a team to the reel and line championships last Sunday.

The PRESIDENT (the Hon. R. W. Mack).—Order! I think the crossfire is good-natured, but it is interrupting Mr. Clarke's speech.

The Hon. M. A. CLARKE.—I thank you for your protection, Mr. President. This Bill will promote surf life-saving in Victoria. I thoroughly appreciate Mr. Elliot's remarks in this regard. When I was in the United States of America, I was most impressed by the life-saving facilities on the beaches of the west coast. They far exceed in magnitude and splendour the facilities available in Victoria.

The Hon. A. W. KNIGHT.—The life savers there are professionals.

The M. A. CLARKE.—Under the provisions of this Bill, the surf life-saving clubs will be enabled to have some security of tenure; they will be in a position to erect their headquarters, to provide sleeping quarters, and so forth. However, the Bill applies only to surfing beaches. "Ocean foreshore reserve", as defined in the Bill, means any Crown land abutting on or adjacent to the coastline of Victoria, not being any part of the coastline which is within Port Phillip Bay. Therefore, this is a limited measure.

It has been assumed in some circles that the beaches which so many people patronize inside the Bay will also benefit from this measure, but that is not the case. Further, inland waters are excluded from the Bill. The River Murray was referred to in a jocular manner, but I point out that a large number of tragic drownings have occurred in the River Murray, particularly near Echuca and Swan Hill. Lake Eildon and Lake Eppalock are being widely developed as tourist resorts, and the life-saving facilities there should also be given favourable consideration by the Government. All such waters, whether lakes or rivers, are excluded from this measure. The Bill does not deal with them, nor does it relate to beaches to which thousands of people throng within Port Phillip Bay, whether in the Frankston-Rosebud area or towards Geelong and Queenscliff.

This is a special, limited measure. Members of the Country Party are entirely in favour of it, but we ask the Government to consider the needs of life-saving organizations which are concerned with inland waters or the waters of Port Phillip Bay. We are aware that the Government has taken some steps with regard to the provision of police boats to assist on Port Phillip Bay, but again and again boat engines break down and people, adrift in the Bay, are placed in grave danger.

The Hon. A. W. KNIGHT.—Have you not heard of the rescue boat that is operated by the Elwood Life Saving Club?

The Hon. M. A. CLARKE.—I am fully aware of such activities, but they are not assisted under this Bill. I point out that on many inland waters no life-saving facilities exist. I put forward that criticism of this measure; it is a sin of omission which I should like the Government to examine. Members of the Country Party support the Bill so far as it affects the surf life-saving clubs of Victoria.

The Hon. G. W. THOM (South-Western Province).—I wish to support this measure, and to thank Mr. Elliot and Mr. Clarke for their support. Mr. Gleeson and I are proud that twelve of the 25 surf life-saving clubs concerned happen to be situated within South-Western Province. We both take a keen interest in the activities of the surf clubs. Interest in surf beaches and the sport of surfing has developed tremendously in the past few years. I cannot pay a sufficiently high tribute to the young men who give up their week-ends to patrol the beaches. The officers of the clubs and the State centre are doing a wonderful job; they set a particularly high standard of discipline to which members must "knuckle under" if they wish to remain members of a club.

Many of these young men live in the metropolitan area or in country areas and travel some distance to places such as Torquay and Ocean Grove at the week-ends. Previously, they have had to camp in somewhat primitive conditions. The main purpose of this measure is to make possible improvements in the facilities which are available to members of surf life-saving clubs. The clubs will be given security of tenure, which will give them some incentive to increase the facilities provided at their club head-quarters.

I have heard some discussion to the effect that, as a result of this measure, surf life-saving club premises may become liable to municipal rating. If they have any liability, I trust that councils will treat them sympathetically in return for the wonderful service they are providing, not only for the residents of the particular municipality concerned but also for beach users in general. I commend the Bill, and I only hope that one day larger grants will be made to the surf centre in general. Although the grant has been increased over the years up to the present amount of $16,000, it is a small price

to pay for safety on our surf beaches. I would like to see the grant increased as finance becomes available.

The Hon. A. W. KNIGHT (Melbourne West Province).—Like Mr. Elliot and Mr. Thom, I fully support this measure. To put Mr. Clarke's mind at ease, there is the Royal Life Saving Society, of which the Minister of Public Works is president, and the Surf Life Saving Association of Australia. As Mr. Thom said, most of the young lads who are members of surf clubs come from the metropolitan area. In fact, members of the Williamstown Life Saving Club comprised the foundation members of the Torquay Surf Life Saving Club, which has become the champion club in Victoria and has represented Australia in world-wide competitions. Around Port Phillip Bay, the clubs do a magnificent job. Last week, a team came down from Mildura for the annual life-saving competitions at Carrum.

In the Gippsland area, there are active clubs at Cape Woolamai and Venus Bay. Members of the surf clubs rescue persons who act foolishly in riding the surf boards. Similar dangers can occur on Port Phillip Bay. The other week, when the Bay waters were rough, members of surf clubs were out riding the boards and taking the opportunity to practise in the surf boats. These club activities should be supported. Mr. Clarke's worry is with the Royal Life Saving Society, not with the Surf Life Saving Association.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

The Hon. V. O. DICKIE (Minister of Health).—No words of mine could serve any greater purpose than what has already been said in the House in praise of surf life-saving clubs and the Royal Life Saving Society for the magnificent jobs these clubs have done for many years within Port Phillip Bay, the ocean beaches and on the inland waters. I think the questions that have been asked in debate have been answered by other members in the general pattern of discussion.

This legislation has been introduced because of a direct approach to the Lands Department by the Victorian State Centre of the Surf Life Saving Association of Australia. This centre will be incorporated as a company and it seeks greater security of tenure of the buildings that have been erected in the 25 different areas. Although this Bill is only exploratory at this stage, it will serve a real purpose. When the Port Phillip Bay Authority has been established and has made recommendations as to what should be done along the foreshores of the bay, the Minister of Lands will be considering the best way to assist the organizations that operate within the Bay area. The Minister of Lands has given a firm undertaking that he will consider providing similar assistance for clubs on inland waters. I hope this Bill will serve as a guide-line for further extensions.

Mr. Thom raised the question of possible rating of club premises. Under the Local Government Act, it will be possible for a municipality to levy rates on the areas, but I think it would be a strange municipality which rated the premises without making some *ex gratia* payment to the committee of management. I do not think any burdens will be placed on the surf life-saving clubs or committees of management, because all municipalities appreciate their work.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

WARRAGUL (PUBLIC PARK) LANDS BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

The reserve to which this Bill relates is situated south of the railway line in the township of Warragul, and

contains an area of 29½ acres of Crown land which was permanently reserved in 1889 as a site for a public park and garden. The Bill sets out five proposals in respect of the reserve.

First, it is proposed to add certain portions of land to the reserve. This is brought about because sections of a road, which originally formed the northern boundary of the reserve, were closed in 1895 and 1920, and, although most of this former road has been used as an adjunct to the reserve for many years, it has never been formally included in the reservation. As this land will never be used as a roadway this opportunity is being taken to remedy this omission.

Secondly, it is proposed to exclude from the reservation a relatively small area of about 5 perches, at the western end of the reserve, which was included in allotments 14 and 15 of section 10, township of Warragul, when those allotments were sold in 1909. The net result of these dealings will be to increase the area of the reservation by over 4½ acres.

The third adjustment covers the purposes for which the reserve may be used. In the Order in Council for the original reservation these were expressed as being for a public park and garden. A recent feature survey of the area has shown, however, that, while sections of the reserve have been laid out as lawn and gardens, additional development has included provision of a tourist camping ground with amenities such as a dining hut, laundry facilities and a toilet block. Other developments on the reserve include a children's playground and a soccer field, and sections have been laid out as tennis courts, croquet lawns and bowling green, each with club-house facilities.

The purposes of the reservation are therefore proposed to be varied to cover this present-day development and use. These three proposals will be implemented by rescinding the original reservation of 29½ acres, and re-reserving the amended area of 33 acres 3 roods 17 perches as a site for a public park and garden and for recreation and camping purposes. The fourth proposal is for the appointment of the corporation of the Shire of Warragul as the committee of management of the amended area of the reserve. The final proposal in the Bill is to empower the corporation as the committee of management to issue a lease to the Warragul Bowling Club in respect of an area of about 1½ acres of the reserve, of which a plan is included in the Second Schedule.

The leasing provisions in this Bill are similar to those in other recent legislation, and will cover about 1¼ acres of reserve already occupied and developed by the bowling club, and an additional ¼ acre of low-lying land to the west which the Council has approved for green extensions. The bowling club was granted permission by the council to establish clubrooms and bowling greens on part of the reserve about 60 years ago. Since then the club has occupied the site at the pleasure of the council but with no security of tenure or legal right to ownership of its improvements.

Recently the bowling clubhouse was destroyed by fire. The council has agreed to make a loan of $12,000 to the club to rebuild the clubhouse, and one of the main reasons for the Bill is to provide for a long-term tenure to protect the interests of both the council and the bowling club.

Clause 1 of the Bill cites the short title. Clause 2 defines "council" as meaning the corporation of the Shire of Warragul for the purposes of the Bill. Provision is made in clause 3 for revocation of the original reservation of 1889, and for reservation of the area of 33 acres 3 roods 17 perches, defined in the First Schedule, as a site for a public park and garden and for recreation and camping purposes.

Clause 4 revokes the original appointment of the council as committee of management, and reappoints the council, as defined in this Bill, to be the committee of management for the whole of the area defined in the First Schedule. It also provides that the regulations already made under the Land Act, for the care and management of the reserve, shall apply to the new area of the reservation. Provision is also made in this clause for the area of 1½ acres, defined by plan in the Second Schedule, to be leased by the council for the purposes of a bowling club for amusement and recreation and for amenities connected therewith. Sub-clause (4) of this clause is the usual provision for leases of this nature, and fixes the maximum term at 21 years with the requirement that, if the lease is for a longer period than three years, it is subject to approval by the Governor in Council. Sub-clause (5) sets out that the lease rental is to be applied for the maintenance and improvement of the balance of the reserve, and the final sub-clause is the standard provision that no liability shall attach to the Crown in respect of any matter arising out of the Bill. I commend the measure for the favorable consideration of the House.

The Hon. H. A. HEWSON (Gippsland Province).—I am naturally interested in this measure, which concerns sporting and recreational facilities in my home town. The provisions of this Bill have been eagerly awaited for many years. For some time, people have wondered why certain works have not been carried out in the parks and gardens area. However, long-term tenure could not be granted to the sporting bodies; the people enjoying occupancy were on a year to year tenure at the pleasure of the council. They joined the shire council in an approach to the Government to initiate this Bill so that the recreational activities could be consolidated in a worthy cause. The Bill proposes an increase in the area of the reservation by 4½ acres, which includes an old unused road which many people thought was part of the reserve. It was never used and it is unlikely that it will ever be used for that purpose.

Over 60 years ago, the Warragul Bowling Club, of which I am a member, obtained permission from the shire council to occupy a quarter of this reserve, on which a fine clubroom was built and two excellent greens were laid down. These greens and the surroundings to the club buildings have been kept in a beautiful condition by a caretaker who has earned the reputation of producing the two finest greens in the Gippsland area. Unfortunately, last year fire destroyed the clubhouse, and this brought problems in its train. An imposing structure was planned to replace the old buildings, but, because no long-term tenure could be granted, difficulty was encountered in obtaining finance. The shire council agreed that the bowling club should obtain a longer tenure, and the Minister of Lands promised to endeavour to do something about it. I add my thanks to those of the local people for the work that the Minister of Lands has done in this regard. For a time, we thought he was "dragging his feet", but it was realized that there were many technical problems to overcome. The necessity to obtain long-term tenure for purposes of finance is tied up in this measure. The people of Warragul will be happy when I return to the town and say that a 21-year lease can be applied for to enable the necessary finance to be obtained. The bowling club can now proceed with the building of the clubhouse.

There are also some excellent tennis courts on the area, and the Warragul Lawn Tennis Association is building a new club house. This Bill will assist the club to obtain finance for the completion of this

building early next year. In addition, there is a caravan park which is a great asset to the town. Ice is delivered daily to the caravan park, and this is greatly appreciated by the travelling public. I commend the Government for introducing the Bill and wish it a speedy passage.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—The Labor Party has no objection to the Bill. The five purposes of the measure take it beyond the normal revocation of reservation of land Bill which is dealt with regularly by the House. Normally, we closely examine enclosures of park land, but in this case a bowling club is involved and it is generally appreciated that bowling clubs cannot be open to the public. So, it is essential for the area to be enclosed. In such circumstances, members of my party waive their fundamental objections to the enclosure of parklands, and agree to the passage of this Bill.

After listening to Mr. Hewson explain, on behalf of Warragul, the purposes of the Bill, we trust that the park will serve posterity in a grander manner than it has in the past.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

WATER (AMENDMENT) BILL (No. 2).

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

This Bill proposes six amendments to the Water Act; the most important of these provides for the extension of the current extra water right formulae for a further three years, until 1970. Section 65AB of the Water Act provides that the Commission may, in appropriate circumstances, apportion extra water rights to lands in its irrigation districts and areas, in quantities necessary for the reasonable irrigation of such land. Because of the legal difficulty of interpreting the phrase "reasonable irrigation", the Water Act 1964 introduced a schedule setting out a series of formulae stipulating the extra water rights available to properties in the Commission's irrigation districts and areas, according to the size and classification of these properties. The Act empowered landowners to make application for extra water rights, in accordance with these formulae, until the 30th June, 1967; the amendment now proposed will extend the life of these formulae for a further four years.

Pending full development of the Snowy–Murray hydro-electric scheme and the completion of the approved reservoir projects at Lake Mokoan, Buffalo high dam and Chowilla reservoir, the existing water allocations would be imperilled if the commitments under the present formulae were increased. For this reason, the Bill provides for the allocation of extra water rights, on the current scale, until 1971. However, two minor amendments to Schedule 3B of the Water Act 1964 are proposed. The first of these deletes the special provisions in regard to lands adjacent to the Broken and Nine Mile creeks. The second provides for the inclusion in the Goulburn-Murray Irrigation District of lands adjacent to the Waranga Western Main Channel which have been supplied under sales conditions for many years.

Another amendment will permit the Commission to transfer lands acquired for any project, but surplus to its requirements, to a landowner from whom land is to be acquired for the same project. In this matter, the Commission will be able to assist dispossessed landowners by providing compensation in the form of a land exchange, instead of on a monetary basis. The Act at present requires the Commission to sell

surplus land by public auction except in specific circumstances which are not sufficiently elastic to embrace cases of the nature covered by the proposed amendment.

A further amendment will enable the Commission to make by-laws to control the salinity standard of water which is being introduced into its channels and drains or into watercourses. Such by-laws are necessary to safeguard the quality of irrigation water supplied to other properties from these sources or from the rivers or streams which the effluent discharges eventually reach.

The remaining amendments are generally of a machinery nature. One is necessary to confirm the Government policy whereby interest on the capital cost of drainage works is not taken into account in determining a drainage rate. Another will allow official plans, lodged with the Commission, to be used in connexion with Orders in Council and other formal documents, in lieu of the involved technical descriptions which are now used to identify the boundaries of the land or works defined in such documents.

A further amendment provides for transfer to the Capital Expenditure Borne by the State Account of part of the expenditure on water supplies to certain small country towns. The amounts transferred will provide the assistance to which these towns are entitled in accordance with the Government's policy, and which were not transferred within the six months' time-limit specified in the annual loan application Acts which authorized the expenditure. I commend this Bill to the House.

On the motion of the Hon. Archibald Todd for the Hon. SAMUEL MERRIFIELD (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 14.

ADJOURNMENT.

ADMINISTRATION OF JUSTICE: DELAYS IN COURT HEARINGS: ACCOMMODATION FOR COURTS.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That the House do now adjourn.

The Hon. J. W. GALBALLY (Melbourne North Province).—I wish to raise three aspects of the administration of justice. A deplorable and dangerous level of delays in the hearings of both civil and criminal cases has been reached. It is not right that the cases of people who have been maimed at work or on the roads should not be heard, either by the Workers Compensation Board or in a civil court, within a reasonable time. There are delays of up to eighteen months in the hearing of cases. We in Victoria profess to adhere to the principles of Magna Carta—to none will we deny or delay justice. The list of criminal cases is extremely long. People on bail and those in gaol, because they have been unable to obtain or have been refused bail, are waiting long periods for trial. I shall not weary the House by giving the figures, but a most cursory examination of the facts will bear out what I say. Citizens of this community should not be asked to bear these inordinate delays, because they could be remedied quite simply by the appointment of Judges or workers compensation commissioners.

The second aspect to which I shall refer is as serious as the first. Honorable members have heard from time to time of the appalling conditions under which justice is administered in an insurance building at 470 Bourke-street, Melbourne. One Supreme Court Justice, Sir Robert Monahan, has refused to sit at one of the courts at that address. The conditions at those courts were brought into sharp relief a few days ago. There are only two lifts in the building concerned. Litigants, jurymen, Judges,

counsel and witnesses all use those two small lifts, and in such conditions there are obvious dangers. On 1st March, during the lunch-time adjournment of the case of *Ward* and the *Incorporated Nominal Defendants*, the plaintiff and two jurors were forced to share a lift to go to the fifth or seventh floor of the building. Obviously, it is too much to expect people to walk to those floors. It was reported that there had been a conversation between those people in the lift. Apparently, little more than the time of day was exchanged, but the learned trial Judge, on hearing of the incident, discharged the jury without its reaching a verdict on the ground that justice must appear to be done.

This is a regular occurrence at 470 Bourke-street, because of a chance word between people who are thrown together. Sometimes, the people do not know who is standing near them. In some cases, perforce, when juries are considering their verdicts, cases must proceed at night. The Bourke-street entrance is not open at night, and the only access to the Royal Courts of Justice at 470 Bourke-street is up a laneway at the back of the building where everyone is forced to walk up a narrow staircase. A fortnight ago, during the period of the recent heat wave, I was engaged in a case there. One litigant, a paraplegic, had been attending the court for nearly a week, and the case in which he was concerned concluded at 9.30 p.m. The problem arose of how he was to get out of the building, because the front door was locked and there was only a narrow staircase at the rear. Through the kind offices of one of the staff, special arrangements were made, and the front door was unlocked to enable him to leave the place.

The air conditioning in the building is switched off at 6 p.m. It is not possible even to open a window, as is the case with most air-conditioned buildings. The Judge was quite concerned about the conditions in which the jury had to deliberate. The members of the jury were confined in a small room in which there was no circulation of air. Again, special arrangements had to be made —the Judge sent for a fan.

That is not the end of the matter. Some Judges have commented on the alarming and disturbing results which have been reached in cases because, it is suggested, of the conditions that operate at 470 Bourke-street. Nobody should be forced to endure them. The courts of appeal have often had to review cases which have been decided there because miscarriages of justice have occurred. These things add to the delays and inconveniences which occur, and litigants do not receive the consideration to which they are entitled in this community. Judges, counsel, witnesses and jurors are forced to work under bad conditions. The conditions at 470 Bourke-street have been complained about again and again; there have been protests from the bench and from the bar; but nothing has been done.

These are the three aspects of the administration of justice of which I complain: Delays in civil cases; delays in criminal cases; and the hearing of cases in an insurance building which does not in any way resemble a Royal Court of Justice, which should have the appearance of one which people are free to walk into and out of at leisure—not that of a star chamber where one has to knock on the door in order to gain entrance. The Attorney-General ought to be able to rectify these matters immediately.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I shall refer the matters raised by Mr. Galbally to the Attorney-General.

The motion was agreed to.

The House adjourned at 12.58 *p.m., until Tuesday, March* 14.