

2. What current Environment Protection Authority licences are held by the Geelong Phosphate Company, indicating their general conditions?

3. Whether there were any appeals against the licence conditions to the Environment Protection Appeals Board or higher courts, indicating the decisions in each case?

4. Whether any amendments have since been considered, or are being considered, to exempt the Pivot Superphosphate Company from compliance with the standards for—(a) sulphur dioxide; (b) start-up conditions; or (c) any other conditions of their licence; if so, by what body or bodies, and with what results?

**Mr. BORTHWICK** (Minister for Conservation): The answer is—

1. I presume that the honorable member is referring to the Geelong works of the Phosphate Co-operative Company of Australia.

On this basis, I understand that in 1973 as a result of excessive emissions of sulphur dioxide during the start-up of a sulphuric acid plant at the above premises several people were hospitalised.

2. I assume that the honorable member is referring to licences to discharge to air for the above premises. I will arrange for copies of licences EA 85/1 and EA 4329/0 to be made available direct to the honorable member.

3. The licensee was aggrieved by a condition of licence EA 85/1 which will only allow the start-up of a particular sulphuric acid plant with an offshore wind, and consequently, appealed to the Environment Protection Appeal Board.

The licensee was also aggrieved with the determination of the Environment Protection Appeal Board and subsequently appealed unsuccessfully in turn to both the Supreme Court and the High Court.

The company has also appealed to the Environment Protection Appeal Board over certain conditions of licence EA 4329/0 pertaining to a second sulphuric acid plant which includes a limitation on the concentration of sulphur dioxide discharged to air from this plant and a requirement that start-up of the plant will only take place with an offshore wind.

4. The Environment Protection Authority is currently holding discussions with the licensee in regard to conditions of licences EA 85/1 and EA 4329/0. If after completion of these discussions licence conditions acceptable to both parties are able to be formulated the Environment Protection Appeal Board will be approached for issue of a consent order incorporating these conditions.

The authority is considering exempting the licensee from standards pertaining to sulphur dioxide for limited periods of time while plant malfunctions are corrected, and

from certain other licence conditions including the start-up wind condition, provided that satisfactory control over plant emissions at start-up can be demonstrated.

## MERRIMU RESERVOIR.

(Question No. 1168)

**Mr. CATHIE** (Carrum) asked the the Minister for Conservation—

Whether the Environment Protection Authority or any agency has tested water quality in the Merrimu reservoir, indicating the levels over the past two years for arsenic, mercury and antimony, and indicating the accepted standards?

**Mr. BORTHWICK** (Minister for Conservation): The answer is—

I am advised by the Chairman of the Environment Protection Authority that the outlet of Lake Merrimu has been sampled for mercury and arsenic three times in the last fifteen months as part of the State Rivers and Water Supply Commission's regular monitoring of town water supplies.

The results of the commission's analysis indicate that levels of both mercury and arsenic are below current limits of detection which are 0.0002 mg/l and 0.001 mg/l respectively.

No analysis has been made for antimony.

The levels of mercury and arsenic currently considered acceptable in potable water supplies are 0.001 mg/l and 0.050 mg/l respectively.

There is no known criteria for antimony.

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## Legislative Council.

Tuesday, September 26, 1978.

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The **PRESIDENT** (the Hon. W. G. Fry) took the chair at 4.53 p.m. and read the prayer.

### LABOUR AND INDUSTRY BILL.

This Bill was received from the Assembly and, on the motion of the Hon. F. J. GRANTER (Minister of Water Supply), was read a first time.

### QUEENSLIFF LAND BILL.

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

### **VICTORIA CONSERVATION TRUST (AMENDMENT) BILL.**

This Bill was received from the Assembly and, on the motion of the Hon. D. G. CROZIER (Minister for State Development Decentralization and Tourism), was read a first time.

### **SHRINE OF REMEMBRANCE BILL.**

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

### **QUESTIONS WITHOUT NOTICE.**

#### **ALCOHOL AND DRUG TREATMENT CENTRES.**

**The Hon. B. P. DUNN** (North Western Province): My question is directed to the Minister of Health. In view of the increasing abuse of alcohol and drugs and the fact that only two alcohol and drug information, treatment and rehabilitation centres that receive State Government funding exist in country Victoria, those being at Horsham and Geelong, will the Government investigate the establishment of such centres on a regional basis throughout Victoria, as an urgent priority?

**The Hon. W. V. HOUGHTON** (Minister of Health): The short answer to the question is, "Yes, it will". This is under current examination by the Department of Health. There is another centre that is not funded at the moment at Government level and that is at Ballarat. The Government is considering the establishment of these centres at a regional level.

#### **URBAN LAND COUNCIL LAND PURCHASES.**

**The Hon. D. R. WHITE** (Doutta Galla Province): I direct my question without notice to the Minister for Planning. In the Minister's testimony to the Gowans inquiry he quotes the Premier as saying, and I refer to page 2768—

... and if you happen to find the names of any Liberals among the vendors bring it back to me before you proceed.

Did the Minister make it his business to examine the Urban Land Council purchases, in particular the purchase by the council of the Tamar Holdings land, and will he table the file on the Tamar Holdings purchase?

**The Hon. A. J. HUNT** (Minister for Planning): The Urban Land Council purchases arose from a joint Commonwealth-State agreement at a meeting at Tullamarine airport in May or June of 1975 between the Federal Minister for Urban and Regional Development, Mr. Uren, myself and another Victorian Minister. Mr. Uren had previously tramped over the proposed areas and satisfied himself on all the pieces of land to be purchased, and, I understand, on the prices to be paid. We were not satisfied on the prices and obtained further valuation evidence on those matters before the purchases proceeded. Mr. Uren was most anxious to spend his money by the end of June that year. This was duly done, with his full approval.

I do not know the names of any vendors. It was not my practice to seek to know them. That of course avoided the possibility of any embarrassment whatsoever. I am happy to lay upon the table all files relating to Urban Land Council purchases. That council has been a most successful operation indeed. It is making a profit and has helped to provide cheap land for many Victorians.

#### **LAND SALE TO JENNINGS INDUSTRIES LTD.**

**The Hon. GLYN JENKINS** (Geelong Province): Will the Attorney-General request the Commissioner of Corporate Affairs or the Committee of the Stock Exchange of Melbourne to investigate the sale of land by Komirra Pty. Ltd., Nurville Nominees Pty. Ltd., Kanian Nominees Pty. Ltd., or Lauch Pty. Ltd., in which Mr. D. B. Jennings or his family held shares, to Jennings Industries Ltd., and in particular to report whether the transaction was properly at arm's length, whether the shareholders of Jennings Industries

Ltd. or the stock exchange were properly informed of the transaction and, further, to ascertain if any breaches of the Companies Act were involved?

**The Hon. HADDON STOREY** (Attorney-General): I have seen references in various newspapers to the transactions referred to by the honorable member in his question. I will give consideration to the suggestion made by the honorable member.

#### DECENTRALIZATION AND DEVELOPMENT.

**The Hon. S. R. McDONALD** (Northern Province): I direct a question to the Minister for State Development Decentralization and Tourism. It concerns the advertisement in yesterday's press on behalf of the South Australian Government outlining an incentive scheme involving straight-out cash grants and also a long-term interest-free loan to industry to establish in South Australia. Has the Minister noted this new development? Does he think that it will compete with, or have any effect on, the programme in Victoria?

**The Hon. D. G. CROZIER** (Minister for State Development Decentralization and Tourism): Yes, I am aware of this new incentive by the South Australian Government. Superficially it is attractive, but the scheme has been examined by a senior officer of my department and I understand that the total of funds available for the incentive programme are of a modest nature, something of the order of \$2 million. I can only assume from that that this is a desperate effort by the South Australian Government to arrest the drift of industry, indeed the exodus of industry, from that State. The programme must be tempered by modest expectations because, on the basis of simple arithmetic, only six or seven industries could be helped. I do not regard it as a threat to the Victorian Government's comprehensive programme of decentralization incentives. I simply regard it as a reflection of the increasingly desperate

industrial situation in South Australia, for reasons which will be obvious to honorable members.

#### LANDLORD AND TENANT ACT.

**The Hon. B. A. CHAMBERLAIN** (Western Province): Will the Attorney-General advise the House of the extent of discussions which have taken place between himself, the various departments concerned and community groups interested in landlord and tenant reform? Have those discussions proved fruitful? When will honorable members see the results of them?

**The Hon. HADDON STOREY** (Attorney-General): After the last election the Government took the initiative of convening a meeting of groups and persons interested in the field of tenancy law. The meeting was well attended. Flowing from that meeting a community committee was formed. The Government sought submissions from that community committee and from interested persons. Over a period of time the Government has had substantial liaison with the committee and has given it some financial assistance. Substantial submissions have been received. Those submissions have all been carefully considered by the Government and it is expected that with any luck, a legislative measure will be introduced this session.

#### LOCAL GOVERNMENT PECUNIARY INTERESTS.

**The Hon. I. B. TRAYLING** (Melbourne Province): Will the Minister for Local Government inform the House whether he has received a communication from the Melbourne City Council asking for assistance, legislative or otherwise, in setting up a register for the councillors of the Melbourne City Council to declare their business interests and, if so, whether action is proposed, and when?

**The Hon. A. J. HUNT** (Minister for Local Government): I read in the newspaper that the Melbourne

City Council will approach me on that matter. I am not able to say whether a letter to that effect has yet been received. If the letter has been received it has not yet come before me personally. I think it would be quite wrong for the Parliament to impose standards upon local government on that issue without first making rules for itself.

### ACQUISITION OF PROPERTY.

**The Hon. H. R. WARD** (South Eastern Province): I direct my question without notice to the Minister for State Development Decentralization and Tourism. Is the Minister willing to lay on the table of the Library the files relating to the acquisition by the Albury-Wodonga (Victoria) Corporation of properties from W. J. Phillips, D. A. Wallace and L. K. and M. S. Wheeler?

**The Hon. D. G. CROZIER** (Minister for State Development Decentralization and Tourism): The short answer to the question is "Yes". However, I should point out that neither I, nor the Albury-Wodonga (Victoria) Corporation, is in a position to guarantee the completeness of the files. I cannot guarantee that the files have not been tampered with, without the permission of myself or the corporation. By way of explanation, I point out that an examination of the files has revealed that certain documents—photocopies of which were distributed to the news media on 2nd March of this year—are missing. They were distributed by the honorable member for Westernport in another place.

Subsequent to the release of the material I requested my Federal colleague on the Albury-Wodonga Development Corporation to instigate an inquiry by the Federal police. That inquiry was unable to ascertain how these documents came into the possession of the honorable member for Westernport. However, the missing documents bear little or no relevance to the details of the transactions. The significance of this piece of information lies in how

the documents came to be in the possession of the honorable member for Westernport.

### BEACH REPORT.

**The Hon. R. J. EDDY** (Thomastown Province): Will the Attorney-General inform the House what recommendations of the Beach report have been implemented and what other parts of the report are to be implemented?

**The Hon. HADDON STOREY** (Attorney-General): The recommendations are under consideration by the Government. The House will remember that a committee was appointed, under the chairmanship of the former Mr. Justice Norris, who has retired, to look at those recommendations and report to the Government. A report of that committee was tabled during the last session of the Parliament. It dealt with the majority of the recommendations of Mr. Beach but not the specific recommendations relating to complaints against members of the Police Force.

When all the recommendations of the Norris committee on the recommendations of Mr. Beach have been fully considered, I shall be in a position to inform the House, so far as I can, what steps the Government will take. I point out that a number of the recommendations are concerned with administration and procedures in the Police Force. Those matters come within the portfolio of the Chief Secretary, whom I now represent in this House.

### DENTAL TECHNICIANS (AMENDMENT) BILL.

**The Hon. W. V. HOUGHTON** (Minister of Health), by leave, moved for leave to bring in a Bill to amend the Dental Technicians Act 1972.

The motion was agreed to.

The Bill was brought in and read a first time.

**CHARITIES BILL.**

For the **Hon. HADDON STOREY** (Attorney-General), the **Hon. A. J. Hunt** (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the law relating to charities and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

**CRIMES (AMENDMENT) BILL.**

For the **Hon. HADDON STOREY** (Attorney-General), the **Hon. A. J. Hunt** (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the Crimes Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

**COMMAND PAPER.**

The **Hon. W. V. HOUGHTON** (Minister of Health), presented, by command of His Excellency the Governor, the report of the Consultative Council on Congenital Abnormalities in the Yarram District.

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

**MINISTERIAL STATEMENT.****CONGENITAL ABNORMALITIES IN  
THE YARRAM DISTRICT**

The **Hon. W. V. HOUGHTON** (Minister of Health): I desire to make a Ministerial statement on this report. Early this year the attention of the Commission of Public Health was directed to the reported occurrence of a greater than expected number of children with congenital abnormalities born in the Yarram area of Victoria in 1975-76. There was speculation that these abnormalities could be associated with the use in the area of the phenoxy-acetic acid herbicides 2, 4-D and 2, 4, 5-T.

The Commission of Public Health subsequently recommended to me that there be carried out an investigation of the births in the Yarram area during this period.

To achieve this object, I then appointed a consultative council consisting of the following experts—

**Dr. J. E. Aldred**, Chairman, Poisons Advisory Committee; Chairman, Proprietary Medicines Advisory Committee; member, Poisons Schedules (Standing) Committee, National Health and Medical Research Council and member of Premier's Pesticides Review Committee.

**Mr. R. S. Belcher**, Chief, Division of Agricultural Chemistry and Chief Chemist, Department of Agriculture; member of Pesticides and Agricultural Chemicals (Standing) Sub-Committee, National Health and Medical Research Council, and Premier's Pesticides Review Committee.

**Dr. A. J. Christophers**, Chief Industrial Hygiene Officer, Department of Health, member Poisons Advisory Committee; member of Premier's Pesticides Review Committee.

**Dr. A. Clements**, Director of Maternal and Infant Health, Department of Health.

**Professor D. M. Danks**, Stevenson Professor in Paediatrics, University of Melbourne at Royal Children's Hospital; geneticist.

**Dr. E. L. French**, virologist, formerly of Walter and Eliza Hall Institute and Commonwealth Scientific and Industrial Research Organization Division of Animal Health.

**Dr. D. B. Galloway**, Senior Lecturer in Animal Reproduction, Veterinary Clinical School, Werribee, Department of Veterinary Science, University of Melbourne.

**Dr. O. M. Garson**, senior associate, Department of Medicine, University of Melbourne at St. Vincent's Hospital; Cytogeneticist.

**Dr. W. Parsons**, Executive Research Officer, Department of Crown Lands and Survey; member of Premier's Pesticides Review Committee.

**Professor C. Raper**, Dean of Pharmacology, Victorian College of Pharmacy.

**Dr. G. Rouch**, Assistant Chief Health Officer (Public Health), Department of Health.

D. H. J. Sinn, consultant paediatrician, member Maternal and Pre-Natal Mortality Consultative Council.

The consultative council supervised an investigation by departmental officers and reviewed all the data collected by them.

Departmental officers and some members of the consultative council spent considerable time in the Yarram district interviewing families and practitioners and collecting information from the local hospital, shire offices, infant welfare centre and Lands Department staff. A veterinary survey was also conducted throughout the district. A considerable amount of literature from world sources covering the chemistry, toxicology and biological fate of 2, 4-D and 2, 4, 5-T and TCDD over some 30 years has been amassed. In addition, Government organizations, professional organizations, academics and private individuals have provided information and comment.

In the United Kingdom, the problems associated with 2, 4, 5-T and 2, 4-D which we have under review in this report have been reviewed eight times and similar conclusions to our own have been reached.

It must be appreciated that because of the intensely personal nature of the case material and the emotional significance to the families concerned the cases have not been named in the report nor have intimate details of their histories been tabulated. Nevertheless, all these details have been placed on a confidential file within the department, after exhaustive review by the consultative council.

Much of the report is, of course, technical in nature and requires close reading for its comprehension, but to assist in its understanding the technical terminology has been kept to a minimum and two small explanatory sections have been included, one on organogenesis and one on the statistical significance of clusters.

In its deliberations, the consultative council, as previously stated, considered the case histories of all

the babies reported by the two doctors at Yarram and two additional cases discovered by departmental officers in the course of the investigation. It also considered general information relating to the occurrence of birth defects at Yarram and elsewhere in Victoria; the chemistry, toxicology and biological fate of 2, 4-D, 2, 4, 5-T and TCDD; the cytogenetic effects of these materials; the use of 2, 4-D and 2, 4, 5-T in the Yarram area; the veterinary experience with these chemicals both at Yarram and in general and the statistical significance of clusters which, of course, was deliberated in much greater length and depth than the explanatory appendix on this subject.

Of special interest to the unscientific layman will be the information which shows the amounts of food or spray mix required to be ingested per day to reach the no effects level of 2, 4, 5-T by a 60-kilogram pregnant woman.

She would have to drink 1.5 litres of spray mix or eat 24 kilograms of freshly sprayed blackberries or drink 100 litres of water collected in a 10,000-litre tank from a roof sprayed at a rate of 4 kilograms per hectare, or drink 12,000 litres of milk or eat 6,000 kilograms of meat, assuming the animals were deliberately fed 2, 4, 5-T at much higher levels than would be expected to occur through the ingestion of treated pasture.

Another interesting fact uncovered by the report, but having no direct relevance, is the indication of teratogenic effects of marijuana on rats.

The statistically minded will note that the probability of the cluster of abnormalities at Yarram is 1 in 500, so that using the number of medical practices in Victoria and the number of births, one practice in Victoria could have an experience like that in Yarram in 1975-76 by chance alone.

The most massive exposure of a human population to TCDD occurred as the result of an industrial accident at Seveso in Northern Italy in 1976.

About 2.5 kilograms of TCDD was discharged into the atmosphere and contaminated a town of several thousand people. A number of women were aborted and their foetuses were found to be normal; the remaining pregnant women gave birth to babies who had no greater rate or type of abnormality than expected in a normal population.

It is of interest to note that the amount of TCDD discharged in Seveso was more than 100 times the amount of TCDD contained in all the 2, 4, 5-T used in Australia each year.

In its conclusions, the consultative council states that "the analysis of all available information shows no evidence that these birth defects were caused by exposure to 2, 4-D or 2, 4, 5-T and that normal agricultural use of 2, 4-D and 2, 4, 5-T has not been shown to cause birth abnormalities in domestic animals; nor is there evidence to connect such use with human birth abnormalities." Because of these two conclusions, the consultative council has recommended "that the existing legislative controls on 2, 4-D and 2, 4, 5-T be retained."

In the light of this evidence, I have no hesitation in lifting the restriction I placed on the use of 2, 4, 5-T by Government departments earlier this year and the recommendation that it should not be used.

Effects of the use of weedicides should continue to be kept under review. Legislation and labelling laws and regulations should continue to be enforced and will be updated where necessary. Human exposure should be minimized and use should be aimed at reducing fallout on non-target areas and plants.

The consultative council feels that the public should be made more fully aware of the functions of the Poisons Advisory Committee and the Pesticides Review Committee. Between them, these bodies are responsible, amongst other things, for setting legislation and procedural matters governing the safe use of chemicals

such as pesticides and accept responsibility for the surveillance of their over-all hazard including acute and long-term toxicity, carcinogenicity, mutagenicity and teratogenicity.

Perhaps, however, of more far-reaching consequence, the consultative council found, and stresses, that . . . "Victoria lacks organized research on the epidemiology of birth defects and lacks an adequate system of surveillance of these birth defects which are not rapidly lethal."

The consultative council has, therefore, recommended that the State establish a unit to conduct research into the cause of birth defects with strict emphasis on extra genetic factors. The recommendation outlines certain details of how this proposal should proceed. I note in making this recommendation today, for the first time in Victoria, that it is in line with a recommendation of a committee of the National Health and Medical Research Council, which I expect will be put forward by that body at a later date.

In conclusion, I would like to say that the report is a most comprehensive document. Already requests for copies have been received from other Government departments, students at secondary, tertiary and post-graduate level and institutions of advanced education both here and overseas. I expect it will take its place on the world scene as an invaluable reference on the subject.

**The Hon. W. A. LANDERYOU**  
(Doutta Galla Province): I move—

That the Ministerial statement be taken into consideration on the next day of meeting.

The motion was agreed to.

## PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Education Act 1958—Resumption of land at Keysborough—Certificate of the Minister of Education.

Government Buildings Advisory Council—Report for the year 1977-78.

Police Service Board—Determination No. 302.

Science Museum—Report of the Council for the year 1976–77.

State Savings Bank—Report, statements, returns, &c., for the year 1977–78.

Statutory Rules under the following Acts of Parliament—

Abattoir and Meat Inspection Act 1973—No. 332.

Cluster Titles Act 1974—No. 331.

Fruit and Vegetables Act 1958—No. 334.

Magistrates (Summary Proceedings) Act 1975—No. 330.

Public Service Act 1974—No. 336, and PSD Nos. 92 to 96.

Stock Diseases Act 1968—No. 333.

Transfer of Land Act 1958—No. 335.

Town and Country Planning Act 1961—

City of Traralgon Planning Scheme 1957—Amendment No. 10, 1977.

Shire of Kilmore Planning Scheme—Amendment No. 27, 1977.

Shire of Sherbrooke Planning Scheme 1965—Amendment No. 106, 1977.

Wangaratta Sub-Regional Planning Scheme (City of Wangaratta)—Amendment No. 1.

Wangaratta Sub-Regional Planning Scheme (Shire of Wangaratta)—Amendment No. 1, 1977.

Victoria Law Foundation—Report for the year ended 30th September, 1977.

## LABOUR AND INDUSTRY BILL.

**The Hon. F. J. GRANTER** (Minister of Water Supply): I move—

That this Bill be now read a second time. The Bill proposes a series of amendments which are largely unrelated, and for that reason I propose to deal with them clause by clause. However, a number of these amendments have arisen from recommendations made by the Committee for Review of the Labour and Industry Act 1958, which has now submitted its fourth and final report to the Minister of Labour and Industry.

I wish to pay a special tribute to the chairman and members of this committee for the way they have undertaken and finalized this exacting and detailed review of the legislation. The committee was appointed by the former Minister of Labour and Industry on 17th March, 1975, "to inquire into the adequacy, relevance and suitability of the provisions of the Labour and Industry Act 1958 having regard to present day requirements. . . .".

From the oral and written submissions received and considered by the committee and the detailed recommendations on substantial changes to the legislation it is obvious that the review was necessary. It was a time-consuming exercise completed without direct expense to the Government as the members received no payment for their work. That in itself is worthy of special note in these days of the regular use by governments of committees of this type but usually at considerable expense to the taxpayer.

However, of greater significance is the fact that the recommendations were detailed and precise. There was no broad brush treatment of the changes, leaving the difficult detail to be found by others. The tripartite nature of the committee must have posed considerable difficulties in reaching a common view on many of the matters under consideration and I commend each of the members for his contribution to the achievement of the final goal.

The chairman of the committee was the permanent head of the Department of Labour and Industry, Mr. M. S. Jeans, and the other members were Mr. W. Donohoe, Assistant Secretary, Department of Labour and Industry, Mr. R. D. Jordan and Mr. P. R. Marsh, Industrial Officers of the Victorian Trades Hall Council, Mr. G. C. Lane, Director of Industrial Relations, Victorian Chamber of Manufactures and Mr. I. Spicer, Secretary, Victorian Employers Federation. Mr. P. I. Nolan, then Assistant Secretary of the Victorian Trades Hall Council, and Mr. H. E. Mitchell of the Federated Miscellaneous Workers Union also served on the committee during the early stages of the review.

Clause 2 provides that the Crown is to be bound by all of the provisions of the Labour and Industry Act 1958. The Government has accepted the recommendation of the committee for review and believes it appropriate that all of the provisions of the Act

should apply equally to public employing authorities as well as to private enterprise employers and that all workers should be entitled to the same protection that is afforded to them by the Act.

This is not to say that the Government has in any way hidden behind the protection of the Crown in relation to its responsibilities to its workers. Last year the Government issued a statement of policy on occupational safety and health for persons working in State Government employment and issued a code of general principles in that regard. This code of general principles sets out the responsibilities for safety and health in broad terms and gives details of the action that should be taken to set a high safety standard for all areas of Government employment. This standard goes beyond that required by the provisions of the various Acts and regulations that govern matters of safety.

Clause 3 proposes to repeal all of the existing Division 2 of Part V. of the Act, which relates to outside workers and provides that the matter now be dealt with by wages boards under additional powers to be given by the insertion of a new paragraph (g) (a) in section 30 (1). "Outside work" is manufacturing work done outside a factory, usually at home.

The committee for review was of the opinion that the existing provisions in the Act were "complex, difficult to grasp and impossible to enforce". It took the view that they should be repealed and that the Act should be amended to empower wages boards to determine such matters.

Clause 4 proposes the repeal of section 19, which provides for a Labour and Industry Advisory Board. No such board has ever been appointed even though the provision has been in the Act for some 24 years. As the committee for review said, it should obviously be repealed.

Last year the Minister appointed a tripartite "Industrial Relations Advisory Committee" to advise him on matters falling within the broad

concept of industrial relations. This committee, the Industrial Safety Advisory Council, and the Industrial Training Commission together fulfil the functions envisaged by the Act for the Labour and Industry Advisory Board.

Clause 5 proposes a minor amendment to section 38 so that the occupier of premises wherein a determination of a wages board applies is to have a copy of the latest published determination available for inspection by employees at any reasonable time. The existing provision is unworkable as determinations are not available immediately they are made; they have first to be printed and published by the Government Printer.

Clause 6 proposes the repeal of three obsolete provisions. Section 97 relates to the maximum rent to be charged by a shopkeeper for an employee who resides on the premises. Section 101 (2) relates to the delivery of goods by bicycle and provides for bicycles to be fitted with a prescribed type of carrier—which has never been prescribed. Section 136 prohibits occupiers of factories and shops from receiving payment for board and lodging of employees. The committee for review recommends the repeal of these provisions and the Government accepts that they are no longer necessary.

Clause 7 proposes the repeal of sections 100, 107, 108, 109, 110, 111 and 140 and the Eighth Schedule to the Act, which contain matters that are now determined by industrial tribunals. It is no longer appropriate to have them in the Act. This clause results also from a recommendation from the committee for review.

Clause 8 contains several proposals for minor changes to the provisions of the principal Act relating to shop trading hours. Paragraph (a) (i) deletes the reference to markets under the Markets Act 1958 from section 49 (1) (c), enabling councils of the cities of Melbourne and Geelong to apply for orders of exemption under section 80E allowing "trash and treasure" type markets to be operated

at the Queen Victoria Market and the Geelong Market without restriction as to trading hours.

Paragraph (a) (ii) will permit licensed second-hand dealers to carry on business at a "trash and treasure" type market. Paragraph (b) will clarify the position regarding the issue of certificates of exemption for shops at holiday resorts having a large resident population. Paragraph (c) adds saddlery shops and stamp and coin shops to the Fifth Schedule. This will mean that these shops will be permitted to open at week-ends to cater for the needs of tourists and week-end horseriders. Paragraph (d) makes additions to the Seventh Schedule, which lists those factories and shops which are able to operate on Anzac Day. The proposals have been finalized after discussions with the Returned Services League.

Clause 9 provides for several changes in the long service leave provisions of the principal Act. Paragraph (a) provides that the rate of pay applicable shall be the rate at the time of the taking of the leave, except as provided for in paragraph (b). The existing provision is that the rate of pay shall be the rate applicable at the time of the accrual of the entitlement to leave. Paragraph (b) provides for the rate of pay to be settled by agreement where the deferment of the taking of the long service leave results from a request from the worker. The rate is to be fixed in a written agreement but the rate cannot be less than the rate applicable at the time the worker accrued an entitlement to the leave.

Paragraphs (c) and (d) propose an amendment to section 151 (1) to provide that absences on account of illness or injury up to a maximum of 48 weeks shall not affect continuity of employment and the period shall be counted as part of the period of continuous employment. Provision is also made for cases where employers grant leave of absence, other than the usual annual, sick or long service leave. The Bill provides that this period of leave shall be treated as

part of the period of continuous employment except where an agreement in writing to the contrary between the employer and employee is reached at the time of the granting of the leave.

Paragraph (e) provides that on termination of employment after ten years for any reason other than by the employer for serious and wilful misconduct the worker shall be entitled to payment for *pro rata* long service leave. The existing provision provides that *pro rata* long service leave need only be granted where the employer terminates the contract of employment of a worker other than for serious or wilful misconduct, or where the worker terminates on account of illness, incapacity or domestic or other pressing necessity of such a nature as to justify termination. The proposed new provision will extend an entitlement to *pro rata* payment after ten years' service where the employee terminates his employment for any reason.

Paragraph (f) provides that where a worker has been paid in full at the commencement of his leave, he shall be entitled to be paid the amount of any increases in rates that have occurred during the period of leave when he returns from leave. Paragraph (g) provides for the granting of leave in advance. I commend the Bill to the House.

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, October 3.

### QUEENSCLIFF LAND BILL.

The Hon. W. V. HOUGHTON  
(Minister of Health): I move—

That this Bill be now read a second time.

The purpose of the Bill is to grant security of tenure to the Port Phillip Sea Pilots Service of its site at Queenscliff. The Port Phillip Pilot Service came into existence over 120 years ago. It has occupied a site on the foreshore at Queenscliff since

1853. The foreshore land is permanently reserved for public purposes. At present the strength of the pilot service consists of 41 master mariners licensed to pilot ships into and out of the ports of Melbourne and Geelong. Vessels are serviced by launch from the pilot jetty at Queenscliff.

The buildings on the site consist of a pilots' waiting room and store building, the service boat builder's home, a boat building workshop and boatshed. The pilot service proposes to construct a modern pilot station which will blend in with the environment and which would include accommodation for seven pilots, chart and radio rooms and caretaker accommodation. This development may necessitate the reconstruction or removal of some of the present buildings. It is essential for safety that the pilot station be in proximity to the pilot jetty so that pilots are able to board their pilot launch with the least possible delay, particularly when an unexpected vessel arrives at the Heads. The Queenscliff Borough Council, which is also the committee of management of the foreshore reserve, has no objection to the continued occupation of the site; indeed it wishes to continue its long and happy association with the pilots service.

Clause 1 of the Bill cites the short title and provides for the commencement of the legislation. Clause 2 provides that notwithstanding anything in any Act the Governor in Council may grant leases of the land shown on the plan in the schedule for the purposes of a sea pilots station. The schedule contains a plan showing the site presently occupied by the sea pilots service. I commend the Bill 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 the next day of meeting.

## HEALTH (AMENDMENT) BILL.

The Hon. W. V. HOUGHTON  
(Minister of Health): I move—

That this Bill be now read a second time. It makes a series of amendments to the Health Act 1958 and is designed to facilitate the administration of that Act by both the department and councils. The amendments include a change in the title of "health inspector" to "health surveyor", the repeal of certain parts and sections of the Health Act which have no useful application or are now incorporated in legislation administered by other Ministries, a new approach to penalties for contravention of the Act, and adjustments to particular sections which have been adopted following recommendations by the Commission of Public Health or representations from councils and other bodies and persons involved in matters connected with the Health Act.

**HEALTH SURVEYORS**—The health inspectors' annual conference has for some time been seeking a change in title of health inspector to health surveyor. The Government has acceded to the request and clauses 2 to 12, 29, 35 and 36 effect the change in the several sections of the Health Act where the word "inspector" is used.

**REPEALS**—Following an examination of the Health Act it became apparent that several of the Parts and sections were archaic and did not have any worth-while force or effect, or that their substance was now adequately administered under legislation in other Ministries. Accordingly it was considered that such matters should be removed.

The first repeals relate to meat areas and the oversight by the Department of Health of certain matters relating to these areas which are now adequately controlled by the Ministry of Agriculture under the provisions of the Abattoirs and Meat Inspection Act 1973.

Accordingly: Clause 3 (b) removes the definition of "meat area" in section 3 of the Act; clause 25 removes

the proviso to section 96 of the Act. That proviso requires that where a council is asked to register a private abattoir in a meat area as an offensive trade it shall not effect the registration without the approval of the commission; clause 27 removes section 104 of the Act which requires approval of the commission for the erection of or additions, extensions or alterations to abattoirs in meat areas; and clause 52 repeals the Seventh Schedule to the Act which describes "meat areas".

The Bill also repeals the following Parts and sections of the Act—clause 16 removes section 58 which requires houses to have privies; clause 19 removes section 66 (3A) of the Act which enables persons not registered as gasfitters to undertake work in connection with the conversion of appliances to natural gas. That conversion is complete and the section no longer has any useful purpose. Clauses 22 and 23 repeal sections 88 and 89 of the Act. Those sections relate to the importation, transport and quarantine of animals and to the construction of cowyards. Both matters are now adequately controlled by the Department of Agriculture.

Clause 30 repeals section 127 which contains the penal provisions relating to the treatment and custody of lepers. These provisions are archaic and harsh and are not in keeping with modern day methods of treatment of leprosy. Adequate power to treat persons unfortunate enough to contract this disease are contained in the infectious diseases sections of the Act.

Clause 42 repeals sections 328 and 330 to 332 of the Health Act which now constitute Division 2 of Part fifteen of the Act. That division contains the several prohibitions relating to the sale, preparation and possession of horseflesh for human consumption. These matters are now adequately administered by the Department of Agriculture.

Part sixteen of the Health Act deals with prevention of pollution of the Yarra River, and is mainly concerned

with the establishment of unwholesome trades on that river. There is no longer any need for these provisions to remain in the Health Act as they are controlled under the Environment Protection Act. Clause 43 effects the repeal and clause 24 makes a consequential amendment to section 95.

Part seventeen of the Health Act contains quite interesting colonial enactments relating to the quarantine of ships and persons on ships. There is no longer any need to retain the wide powers conferred by the Part as quarantine is a matter for Commonwealth jurisdiction. Accordingly clause 44 repeals the whole of the Part.

The repeal of section 419 of the Act by clause 48 is consequential upon the repeal of sections 127 and 355 of the Act by clauses 30 and 44. Section 419 presently allows for arrest without warrant under the two sections.

Section 156 of the principal Act has an interesting background in that it conveys into Victorian legislation old English enactments controlling immunization against smallpox by the use of smallpox itself. The two methods of immunization covered by the section are the inoculation using matter taken from a smallpox pustule and the wilful exposure of an uninfected person to matter taken from a smallpox pustule. Both methods were extensively used during the last century before the use of cowpox vaccine was universally adopted as the immunizing agent. There is no longer any need to retain the constraints imposed by the section and clause 32 effects its repeal.

**PENALTIES UNDER THE PRINCIPAL ACT**—A perusal of the Health Act 1958 will reveal a confusing range of monetary penalties, minimum penalties, penalties of imprisonment and penalties for continuing offences. The Government has decided to rationalize the penalty structure of the Act by removing provisions relating to: gaol terms, minimum penalties, and penalties in respect of continuing offences, and to express all penalties

under the Act as maximum monetary penalties according to the following scale: Basic level—\$100; level two—\$200; level three—\$500; level four—\$1,000; maximum level—\$2,000. This principle is applied to the various penalty sections of the principal Act by clauses 13, 14, 15, 26, 28, 33, 34 (a), 38, 39, 45, 46, 47 and 49 of the Bill.

**INFECTIOUS DISEASES**—Section 3 of the principal Act defines “infectious disease” and “notifiable infectious disease”. Both definitions include amongst infectious diseases generally those diseases specified in the definitions and enable the list to be added to by proclamation. The system of specification is cumbersome in that any person desiring to obtain a full listing of infectious diseases has to have a copy of the Act together with every proclamation that has been made specifying additional diseases.

The amendments proposed by clause 3 will enable all infectious diseases to be set out in the Infectious Diseases Regulations so that any person involved will require only one document. This will save a great deal of administrative time in answering queries in this regard and will certainly be of great assistance to medical practitioners and all municipal officers concerned with the prevention and treatment of infectious diseases. Clause 31 inserts an appropriate regulation-making power into section 140 of the principal Act as a consequence.

**PLUMBERS AND GASFITTERS**—Clauses 18 and 20 of the Bill deal with matters relating to plumbing and gasfitting. It is apparent that any law in this regard could be better placed in a more appropriate administrative area and consideration is being given to its transfer to another Ministry by the BADAC committee. However, the amendments proposed to section 66 of the principal Act by this Bill are necessary and in the view of the Government should be enacted without waiting for the committee's recommendation as to the placement of the plumbers and gasfitters administration.

Clause 18 amends section 66 of the Principal Act—

(a) To provide for three-yearly renewal of licences instead of annual renewal. This amendment has been sought by plumbers and gasfitters. It will reduce administrative pressures on the staff of the board and will reduce the board's costs in respect of printing postage and overtime payments to staff.

(b) To repeal section 66 (1) (c) which no longer has force or effect because there are no persons to whom its “saving provisions” could apply.

(c) To enable the issue of permits to plumbers registered in one class of plumbing who wish to improve themselves by learning another class; and to unregistered persons experienced in plumbing work, particularly migrants, who desire to resume plumbing work upon arrival in Victoria but who are debarred from registration because their qualifications do not reach the prescribed standards.

Any permits issued under the new section will be subject to conditions set out in regulations and in every case the major condition will be that a permit holder must work under the supervision of a plumber registered in the applicable class of plumbing.

(d) To increase the maximum levels at which the several fees for examination, registration and renewal of registration may be set.

The increases are: For examination—\$10 to \$30; for application for registration by a person not required to pass an examination—\$2 to \$20; for registration or renewal—\$4 to \$20; additionable fee for late registration—\$2 to \$10.

The fees are currently at the maximum levels expressed in the Act and the board is experiencing some difficulty in carrying out its functions within its present level of income. Upon the passage of this legislation upward adjustments will be made to the fees.

(e) To provide for the payment of fees and allowances to board members for attendance at meetings of the board. Those members currently give their services voluntarily. The amendment accords with Government policy that members of boards should be reimbursed for statutory service on a board.

Clause 20 clarifies the definition of "gasfitting" by adding liquefied petroleum gas and natural gas to the list of agencies specified in the definition.

The board has advised that the interpretation of "gasfitting" is not clear as to whether or not gasfitting work in connection with those two gases is included in the words "or similar agencies". The amendment removes the doubt.

**SEPTIC TANK SYSTEMS**—Clause 17 amends section 65 of the principal Act to apply the provisions of the section to "alterations" to septic tank systems.

The section as it is currently drawn deals with approvals to "install" a septic tank system. It is desirable that there should also be some oversight when an "alteration" is made to a system. The Government believes that council approval is necessary to ensure that an "altered" septic tank system is functioning properly and that the alterations do not affect the efficiency of the system. The amendment will enable such oversight by a council.

**CLOSURE OF POLLUTED WATER SUPPLIES**—Division 6 of Part Four of the principal Act sets out the law relating to pollution of water and sections 77, 78, 79 and 80 define the water to which that law applies, confer rights powers and duties on the commission or a council, and enable sources of water supply to be closed in certain circumstances.

The water which is the subject of the Division is any water from a source of water supply that is or is likely to be used for drinking purposes by man, or for domestic purposes, or for any purpose in connection with

the preparation, manufacture or sale of food or in connection with a dairy farm or dairy.

Section 80 of the Act currently provides that any medical practitioner may certify in writing to a council that any reservoir or well or other like source of water supply is so polluted that the water is unwholesome or unfit for any of the purposes to which I have referred. Upon receipt of such a certificate the council may, and if required by the commission shall, order the source of supply to be closed. Reopening of the supply is vested in the commission.

The difficulty with the section as it stands is that only the source as defined in section 77 may be closed. This, in effect, means that the whole water supply to a town must be closed when it may be that the supply to a particular premises only needs to be closed.

In addition, the Government believes that there should be some accreditation of medical practitioners who may certify as to pollution and that the commission rather than a council should have to make the decision to close a water supply. Accordingly the amendments made by clause 21—

(a) remove the definition of "source of water supply" and "stream" in section 77 of the Act, which will overcome the difficulty of having to close the water supply at its source;

(b) repeal section 78 of the Act;

(c) re-enact section 79 of the Act to vest the power to prevent pollution of water supplies in the commission; and

(d) re-enact section 80 to provide that certifying medical practitioners must be authorized by the commission before they can exercise their powers under the section; that the power of closure is vested solely in the commission; and that copies of certificates and notices under the section are to be sent to the Minister for Minerals and Energy and the Minister of Water

Supply rather than the Secretary for Mines and the State Rivers and Water Supply Commission.

**PUBLIC BUILDINGS** — Clause 34 amends section 200 of the principal Act to enable the commission to exempt any person from complying with any or all of the provisions of the Public Building Regulations which are made under the section. At the present time there is no power to enable any discretion to be exercised by the commission to allow any variation from the provisions of the regulations no matter how unreasonable insistence on compliance with the regulations is. The new sub-sections inserted into section 200 will enable the commission to exercise discretion in particular cases.

**FOOD STANDARDS**—Clause 37 amends section 289 of the principal Act relating to regulations made on the recommendation of the Food Standards Committee. The amendments will enable regulations to be made in respect of the use of colouring substances in cosmetic aids and the control of pictorial illustrations on labels affixed to containers of substances which, if ingested or wrongly used, could be harmful.

The National Health and Medical Research Council has recommended that controls should be imposed over the use of colours in cosmetics, particularly lipsticks, and has published a standard for uniform adoption by the States and Territories.

Because of lack of power to make regulations in this regard, Victoria has been unable to adopt the standard. The amendment proposed by paragraph (a) of the clause gives this power but restricts its application to those cosmetic aids specified in the definition contained in paragraph (c). Paragraph (b) of the clause expands the ambit of section 289 (1) (j) to include "pictorial illustrations" amongst those matters about which labelling regulations can be made.

Clause 40 amends section 299 of the principal Act which in its present form provides that in any prosecution

under Part Fourteen of the Act, which relates to food drugs substances and articles, the burden of proving the correctness of any claims with respect to the origin, composition therapeutic or nutritive properties of any food, drug, patent medicine or proprietary medicine shall be on the person charged.

The Commission of Public Health has recommended that the section should be widened to include the "therapeutic effects" amongst those matters upon which the burden of proof is on the person charged.

Clause 41 amends section 300 (1) of the principal Act to overcome difficulties which have arisen in respect of warranties which purchasers of food drugs or substances for resale may demand from vendors. Councils have complained that many prosecutions under the section have been dismissed because of the inappropriate form of the warranty.

The Commission of Public Health has also reported that certain vendors have refused supplies to retailers who had requested a warranty under the section. The amendment overcomes these problems by making it mandatory for a vendor to give the purchaser a warranty and for that warranty to be in the prescribed form.

A decision of the Chelsea Magistrates Court stated that, in order to establish an offence under section 424 which deals with fraudulent conduct or misleading statements, it must be proved that the defendant answered questions put to him by an authorized person. When no answer is made by the defendant no offence exists.

The Crown Solicitor concurred with the decision and suggested that the problem could be overcome by the addition of the words "or fails to make an answer to" to paragraph (f) of the section. Clause 50 gives effect to that suggestion.

Clause 51 amends section 437 of the principal Act by inserting a new sub-section to simplify the proving in court of "officer of a body corporate". The new subsection says that

any statement made by an officer of a body corporate shall be admissible as evidence in any proceedings under the Act and defines "officer of a body corporate" for the purposes of the section.

Clause 53 amends the food vending machine items in the Eleventh Schedule. The Eleventh Schedule sets the maximum levels at which fees may be set for the annual renewal of registration of premises by councils and the commission.

The schedule rests upon section 368 of the Act. There are two ways in which the level of registration fees are set: for premises registered by the commission—by regulations made under section 376 of the Act; and for premises registered by a council—by resolution of the council. In both cases the maximum levels of fees expressed in the Eleventh Schedule must be adhered to.

Food vending machines are included amongst premises to be registered by both the council and the commission. The present maximum fee levels in the schedule are—1 or 2 cents a sale \$1.80; a coin or coins in excess of 2 cents in value but not exceeding 5 cents in value a sale \$9; a coin or coins of 5 cents a sale \$18.

The fees currently charged by the commission under the registration regulations are, respectively, \$1, \$5, and \$10. The fees currently charged by individual councils for food vending machine registration are not known but it appears that most councils could have set the fee at the maximum levels expressed in the schedule.

The Victorian Chamber of Manufacturers has advised that the majority of machines which are actuated by coins up to 10 cents in value a sale provide children's sweets and consequently the high level of fees as determined by councils is acting adversely on sweet manufacturers who sell their wares by vending machine.

The amendment relieves the situation by adjusting the maximum fee levels for registration as fol-

lows—a coin or coins not exceeding 10 cents a sale \$2; a coin or coins in excess of 10 cents a sale \$10.

I commend the Bill to the House.

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, October 3.

### **VICTORIA CONSERVATION TRUST (AMENDMENT) BILL.**

**The Hon. D. G. CROZIER** (Minister for State Development Decentralization and Tourism): I move—

That this Bill be now read a second time. The purpose of this rather brief Bill is to correct a drafting error in the Victoria Conservation Trust Act 1972 as amended by the Victoria Conservation Trust Act 1978.

Honorable members will recall that, during the autumn session of Parliament, legislation was enacted to slightly broaden the functions of the Victoria Conservation Trust and, more particularly to empower the trust, with the approval of the Minister, to enter into covenants with the owners of land which the trust considered to be ecologically significant, of natural interest or beauty, of historic interest or of importance to the preservation of wildlife or native plants. Such covenants would run with the land and would bind the owner as to the development or use of the land or any part thereof or the preservation or care of any bushland, trees, rock formations, buildings or other objects on the land.

It has been brought to the attention of the Government that a drafting error has occurred in section 3A (10) of the Act which would have the effect of preventing the trust from enforcing a covenant against persons deriving title from the original owner. This Bill will correct the error by substituting the words "deriving title from that person" for the words "deriving title from that land" in paragraph (c) of section 3A (10) of the principal Act.

*The Hon. W. V. Houghton.*

I am sure there is no need for me to add that the Bill does not change either the intent or the substance of the legislation which has already been enacted by the Parliament. I commend the Bill to the House.

**The Hon. I. B. TRAYLING** (Melbourne Province): As the Minister has intimated, the Bill merely corrects a drafting error and does not change the intent or substance of the Act. The Labor Party has no objection to the Bill.

**The Hon. B. P. DUNN** (North Western Province): The National Party also supports the Bill, which merely corrects a drafting error.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

## SHRINE OF REMEMBRANCE BILL.

**The Hon. HADDON STOREY** (Attorney-General): I move—

That this Bill be now read a second time. It proposes to consolidate and revise the legislation relating to the care, management and preservation of the monument known as the Shrine of Remembrance in the City of Melbourne and the other memorials erected on the shrine reserve.

Recently the Shrine of Remembrance trustees, under the then chairmanship of Sir Edmund Herring, requested that the Government give favourable consideration to the preparation of new legislation which would relate solely to the powers and responsibilities of the trustees and the administration of the shrine. The trustees drew attention to the complicated state of the Acts pertaining to the shrine, particularly the principal Act of 1933. It was the wish of the trustees that a precise piece of legislation be prepared which would contain all the administrative agreements entered into and which could be easily understood by future trustees. Indeed the 1933 enactment contains a lengthy preamble, and schedules relating to the establish-

ment of the Shrine of Remembrance reserve which are no longer necessary.

At this juncture I would pay a tribute to the leadership of Sir Edmund Herring as chairman of the trustees over a long period of time. Sir Edmund was appointed a trustee and became chairman in 1945 following the death of the first chairman, Sir Henry Chauvel. For personal reasons, Sir Edmund resigned as chairman in June of this year but, to the delight of his fellow trustees, will continue to serve as a trustee.

The Bill re-enacts the existing provisions of the present Shrine Acts with certain additions. Firstly, the number of trustees is increased from thirteen to fourteen to allow for representation from the wars after the second world war. Provision is made that the trustees shall present their annual reports to the Minister of Lands. The trustees agree that it is only proper that these reports be so presented. The penalties for breaches of any regulations made by the trustees are increased to bring them in line with modern costs.

The council of the City of Melbourne has for many years agreed to provide appropriate secretarial and administrative services to the trustees. This agreement is written into the Bill. Further, since the installation of the perpetual flame, the Gas and Fuel Corporation has provided gas free of cost and again statutory backing is given to that arrangement.

The annual financial contribution by the Melbourne City Council to the cost of maintenance of the shrine is presently \$4,500 and the relevant provision in the Melbourne Market and Park Lands Act 1933 is amended accordingly. Under the provisions of that Act the City Council will continue to be responsible for the improvement and maintenance of the public park and gardens on the shrine reserve.

Clause 1 cites the short title and provides for the commencement of the legislation. Clause 2 provides that

a reference to the Shrine of Remembrance in the Bill shall include a reference to all memorials within the shrine reserve.

Clause 3 provides for the constitution of the Shrine of Remembrance trustees. Clause 4 sets out the powers and duties of the trustees. Clause 5 prohibits unauthorized publication or replicas relating to the shrine. Clause 6 provides for the making of regulations by the trustees.

Clause 7 provides that the Melbourne City Council shall supply the necessary secretarial and administrative services to the trustees. Clause 8 authorizes the trustees and the Gas and Fuel Corporation to enter into agreements for the free supply of gas for the operation of the perpetual flame. Clause 9 makes appropriate amendments of the Melbourne Market and Park Lands Act 1933.

Schedule One includes a plan of the shrine reserve and Schedule Two repeals the present Acts relating to the shrine.

I commend the Bill to the House.

**The Hon. D. G. ELLIOT** (Melbourne Province): I do not propose to move for the adjournment of this debate; it is not necessary. When honorable members read the title of this Bill: "To make provision for the care management, maintenance and preservation of the Shrine of Remembrance and other memorials and for other purposes," they cannot help but realize that, over the years, the trustees of the Shrine of Remembrance have been most capable and dedicated men, men who have given to the shrine love and dedication and the experience that they have gained in various walks of life.

Everybody knows of the work of Sir Edmund Herring in connection with the shrine and in many other spheres. When honorable members turn to the second page of the Minister's speech and see a name as great as that of the first chairman of the trustees, Sir Henry Chauvel, they will remember the dedicated service he gave to this country of ours. Another dedicated man with

whom I have come in contact when anything has occurred in connection with the shrine has been Colonel Kemsley. Although I have mentioned these three names, I do not want to single out any particular trustee. They all deserve a tribute. This memorial is to the men who have fallen in the service of the country and the manifestation of that concern, which always brings a lump to my throat, as I am sure it does to you, Mr. President, as you have served, is the old phrase "Lest we forget".

It is a great pity that there is such a thing in the world as a shrine to those who fell in war but, since memory of this supreme sacrifice should be ever present, or the fact that a man in the armed forces left himself open to that supreme sacrifice somewhere in this world of ours, it deserves tribute, not only in Australia but anywhere in the British Commonwealth of Nations. "Greater love hath no man than that he lay down his life for his fellow man."

I can remember the Honorable Dudley Walters, in years gone by, when he handled a Bill for the Country Party relating to the shrine, his chest would swell with pride and honorable members could feel the whole atmosphere of the Shrine of Remembrance surround him in this Chamber.

The Labor Party supports the Bill and thanks the trustees who have given such love and dedication to the handling of the Shrine of Remembrance.

**The Hon. K. I. WRIGHT** (North Western Province): I am proud to support this Bill on behalf of the National Party. The shrine is a magnificent and fitting memorial to those who paid the supreme price. I also compliment the trustees of the shrine, both past and present, on the excellent job they have done in maintaining the tradition of this memorial. As I stated at the outset, the National Party has no hesitation in supporting the Bill.

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 7.59 p.m.*

### **SECURITIES INDUSTRY (AMENDMENT) BILL.**

The debate (adjourned from September 12) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

**The Hon. J. W. GALBALLY** (Melbourne North Province): The Bill is necessary to correct an obvious error affecting the securities industry fidelity fund. It has been discovered that a provision in the 1975 Act, which increased from \$250,000 to \$500,000 the maximum amount payable from the fidelity fund, was set incorrectly. The new maximum unfortunately became the minimum, so that someone who suffered under the provisions was awarded not his loss but \$500,000. If he lost \$40,000, \$50,000 or \$200,000, it appeared that under the 1975 Act he was to receive no less than \$500,000. It is to correct that error that this Bill has been introduced. The Labor Party is therefore in favour of it.

**The Hon. B. P. DUNN** (North Western Province): This Bill has been correctly analysed by Mr. Galbally and also by the Attorney-General during his second-reading speech. It corrects an error in the 1975 Securities Industry Act and it therefore has the support of the National Party.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

### **POUNDS (AMENDMENT) BILL.**

The debate (adjourned from September 19) on the motion of the Hon. A. J. Hunt (Minister for Local Government) for the second reading of this Bill was resumed.

**The Hon. I. B. TRAYLING** (Melbourne Province): This small Bill has the effect of increasing fees

for impounding livestock, cattle and sheep. The fees have not been raised for some time. They may appear to be high when related to those presently existing in the Act, but they are not high when considering the time that has passed since they were last increased.

Members of the Labor Party have no objection to the present fees. We note that the period after which a council may sell the cattle or sheep is to be reduced from fourteen days to seven days from when the animal was impounded. Although we are a little apprehensive about that, we will not oppose the Bill. The Labor Party has been informed by councils that if cattle or sheep are not claimed after two or three days, it is most unlikely that they will be claimed. It accepts that and as a consequence it will not oppose that clause of the Bill.

Members of the Labor Party are apprehensive about the reduction of the period for which the cattle must be held by the council, from fourteen days to seven days, but we accept the views expressed by councils and the Government that that is the usual record in the impounding of animals.

**The Hon. K. I. WRIGHT** (North Western Province): Members of the National Party support the Bill. The Minister will recall that we brought to his notice several provisions in the Bill with which we did not quite agree. One main point was the recovery of transport costs to the pound after impounding. It seems from the explanatory notes that this point has been attended to. We are happy to support the Bill.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

### **DANDENONG VALLEY AUTHORITY (RECREATIONAL AREAS AND ENVIRONMENTAL AREAS) BILL.**

The debate (adjourned from September 19) on the motion of the Hon. F. J. Granter (Minister of

Water Supply) for the second reading of this Bill was resumed.

**The Hon. I. B. TRAYLING** (Melbourne Province): The Bill gives the Dandenong Valley Authority similar powers to those of municipal councils in disposing of apparently abandoned vehicles and, in this case, because of waterways and drainage areas, boats and other water craft.

Proper protections are afforded to the owners of apparently abandoned vehicles or water craft so that they have every opportunity of protecting their assets if they so wish. If the vehicles or water craft are registered, notices must be sent and owners will have adequate time to respond to those notices and claim the vehicles or water craft in the proper time.

This power is almost identical to those powers which are at present and have been for a long time enjoyed by councils. The Labor Party has no objection to those same powers being vested in the Dandenong Valley Authority and in the committees of management that will be formed by the authority in respect of recreational and environmental areas.

**The Hon. B. P. DUNN** (North Western Province): It is a sad fact of life that problems such as these exist, with which various authorities must be given the power to deal through legislation. Honorable members are familiar with offences which range from small litter dumping offences to the dumping of motor vehicle bodies, trailers and so on in various parts of the State, whether in municipalities, or in this case, recreational and environmental areas under the control of the Dandenong Valley Authority.

It is right that these authorities should have the power to dispose of a vehicle, so long as the owner has the safeguard of getting his vehicle back if he wishes to claim it. The Bill provides that he can do so by paying a fine. Any impounded vehicle must be surrendered to the owner by the payment of a fee not exceeding \$10 plus \$2 for each day it

is impounded and all reasonable expenses incurred by the authority or committee of management.

If the owner of a vehicle cannot be traced, the authority has the power to dispose of the vehicle and hold the proceeds of the sale in trust for a period of twelve months to be made payable to any person who may be entitled to that amount and who makes a claim on the vehicle. Members of the National Party believe the measure is sensible. This type of provision exists in municipal areas, as Mr. Trayling has pointed out, and similar provisions are contained in the Water Act and the Melbourne and Metropolitan Board of Works Act. The measure has the support of the National Party.

**The Hon. N. F. STACEY** (Chelsea Province): I am pleased to support this Bill which also has the support of the Opposition and the National Party. As honorable members are aware, at present municipalities have the power to remove derelict or abandoned motor vehicles and to dispose of them. Municipalities in the Dandenong Valley Authority area have traditionally acted as agents of the Dandenong Valley Authority in this matter. In the last sessional period special areas were set aside as recreational lands and environmental areas under the control of the Dandenong Valley Authority. This Bill refers to the removal of derelict vehicles from areas which are under the control of the Dandenong Valley Authority although the control, as specified in the Bill, is referred to committees of management.

Such a committee of management administers the Patterson River recreational area which is an important boating area and a launching place used by many of the fishermen who try their luck for snapper in Port Phillip Bay. It is noticeable that proposed new section 31A (1N) defines a wider field than would be

normally available to councils, to include boats, ships and goods attached to vehicles as coming within the normal powers given to local government for the disposal of derelict vehicles. Patterson River, for example, has moorings which are administered by the committee of management and from time to time the committee of management is troubled by derelict boats left there for a long period. The purpose of the Bill is to dispose of these derelict boats. This is extremely important.

Twelve months ago the Minister for Tourism as he then was visited the Patterson River area—I had the pleasure of taking him up the river—and he understands the potential of the area not only for boating and as a site for a launching ramp but also for future development as a motor boat course. Indeed, east of the Wells Road bridge it is likely that the area will become an Olympic type rowing course. This will be done at little cost because the whole area is being dredged by the Country Roads Board. Experts from the Victorian Rowing Association have looked at the course and believe it has the potential to become an international standard rowing course of some 2,000 metres. Obviously the committee of management which will be set up in the area will need to control derelict boats.

This provision, although reasonably simple, is important to the management of the Patterson River and of recreational and environmental areas throughout the whole 200 to 300 square miles controlled by the Dandenong Valley Authority. I support the Bill. It is an important step to aid these excellent committees of management which are working throughout the Dandenong Valley Authority area for the public benefit.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

## WATER SUPPLY STATUTORY RULE.

**The Hon. R. I. KNOWLES** (Balarat Province): I move—

That sub-clause (i) of paragraph (b) of clause 2 of By-law No. 153: Water Supply—Charges for Special Purposes (Statutory Rule No. 146/1978) be disallowed.

This motion arises out of a report which I presented to this House a fortnight ago on behalf of the Subordinate Legislation Committee. Honorable members will be aware that the Melbourne and Metropolitan Board of Works has power to charge other than by measure for water for domestic purposes. This means that it can charge by way of rates for domestic water use and the essential argument is about definition of domestic purposes. The particular section of the regulation is intended to allow the Board of Works to charge for water supplied to building sites, particularly home building sites, as if it were a domestic use. Acting on the best legal advice available to it, the Subordinate Legislation Committee disputed that proposition and argued that the Board of Works could charge only by measure. The motion is to disallow the regulation and clarify the situation.

I support the committee's contention that water supply for building sites, whether home building sites or otherwise, is not a domestic purpose within all the available legal definitions. On that basis the committee indicated its support for the motion.

The motion was agreed to.

## ADJOURNMENT.

FOOT ROT VACCINE—SUNBURY AND DISTRICT COMMUNITY HOSPITAL—ROLE AND STRUCTURE OF LOCAL GOVERNMENT—POLICE STATION FOR WHITTLESEA—GOULBURN KNITTING MILLS, HAMILTON—SUNSHINE AND ALTONA NORTH POLICE STATIONS.

**The Hon. A. J. HUNT** (Minister for Local Government): I move, by leave—

That the Council, at its rising, adjourn until Tuesday, October 10.

The motion was agreed to.

**The Hon. A. J. HUNT** (Minister for Local Government): I move—

That the House do now adjourn.

**The Hon. D. M. EVANS** (North Eastern Province): I raise with the Minister of Health who represents the Minister of Agriculture in this House the urgent need for the Government to facilitate the development and commercial availability of a vaccine to combat foot rot in sheep by the provision of suitable specifications for the registration of a vaccine. The vaccine available three or four years ago gave good results for many practical farmers but was withdrawn because of poor results in the Department of Agriculture tests.

In drawing up the guidelines for registration, I request the Minister to recognize that in a practical farm situation all sheep would be vaccinated and as foot rot vaccines have both a protective and therapeutic effect, the challenge to the animal is reduced when all animals are treated. However, in a test case some animals are vaccinated and some are not, which greatly increases the challenge to the vaccinated sheep—hence the recent degree of failure. This increases the likelihood of non-acceptance by the Department of Agriculture, if it is accepted as a true and accurate test.

It is essential that practical farm results are taken into account in setting the guidelines for the new registration of vaccines and that the market place be given an opportunity of judging the effectiveness of the vaccines. Another withdrawal of registration following tests will destroy commercial interest in this most important substance.

**The Hon. D. R. WHITE** (Doutta Galla Province): I have received representations from the Sunbury Ratepayers Association and the Sunbury and District Community Hospital Society about their prospects of obtaining a hospital in the near future. I understand that in previous years the Government gave assurances about the construction of a hospital in that area and that steps were taken

to purchase land for the establishment of a hospital. I am also led to believe that there has been a set-back in the time-table for the completion of construction of the hospital. I should be interested to know from the Minister of Health whether land will be acquired this year for the hospital, and, if that is the case, when the first stage of the hospital structure will commence and the date when the construction of the hospital will be completed.

**The Hon. K. I. WRIGHT** (North Western Province): I raise with the Minister for Local Government a matter concerning the board of inquiry that will be looking into the role and structure of local government. I understand Mr. Malcolm Bains is to be the chairman and note with regret that Mr. John Fagan, a member of the board, is now in ill health.

The report produced by the board of inquiry will probably become known as the Bains report. Concern has been expressed that in previous reports Mr. Bains has recommended the amalgamation of councils and I agree with the objections raised.

Municipalities, the Municipal Association of Victoria and the Local Government Association have expressed concern at the composition of the board and at the fact that it has no members with local government experience. It contains no practising municipal clerk or engineer. I understand that the Minister's views may be different from those of Cabinet—he may have been rolled on this one—but at this late stage I urge the Minister to consider the appointment to the board of a practising engineer or municipal clerk as an additional member.

**The Hon. R. J. EDDY** (Thomastown Province): I refer my remarks to the Minister representing the Chief Secretary in this House. For some time the people in the Shire of Whittlesea have been concerned about a promise made over the years by the Government for a 24-hour police station. As late as 1969 or 1970 the Government purchased land adjacent to

the Lalor Technical School fronting High Street. The Government at that time decided that it would construct a 24-hour police station. The southern part of the shire has a population of some 50,000 people, with a large estate being developed at Mill Park, but there is no police station. All police stations within the Shire of Whittlesea close at 5 p.m. The people are concerned about the large number of crimes that are being committed within the shire and about the insufficient number of police who are asked to cover that particular shire.

As recent as this year a deputation met the former Chief Secretary on this project. As yet no final answer has been received as to when the 24-hour police station will be constructed. The Government has purchased the required property. On behalf of the people within the shire who are concerned about the incidence of crime, as I have already intimated, I should like to know when the construction of the station will be commenced and thus assist to prevent the crime that is taking place within the shire.

**The Hon. B. P. DUNN** (North Western Province): My comments are directed to the Minister for State Development Decentralization and Tourism. It has been brought to the attention of the National Party that this week the Goulburn Knitting Mills Pty. Ltd. in Hamilton announced that it intends to close its operations there before Christmas. I understand that the company employs 26 people. I ask the Minister whether he has discussed this matter with the company concerned and whether it intends to cease operations. Further, in the event of its ceasing operations, will his department give support and incentive to other industry to occupy those premises if in fact they become vacant through the knitting mill closing.

**The Hon. A. W. KNIGHT** (Melbourne West Province): I raise a matter with the Minister who represents the Chief Secretary in this Chamber, who is known as the mirror man as he is always looking into

things. The problem to which I refer is well known to the Attorney-General. It relates to the Sunshine police station, for which land is available, and to the Altona North police station, which are related so far as the future operations of the police in the western suburbs are concerned. The police are very concerned about the future and about where they stand in regard to promotion when Altona North becomes the district headquarters. The Chief Secretary, who is the mirror man——

**The PRESIDENT (the Hon. W. G. Fry):** Order! I remind the honorable member that a little joke might be in order but he should refer to the Minister in the proper way.

**The Hon. A. W. KNIGHT:** I apologize. I am still waiting for a reply to previous representations on this matter. When the Minister was in charge of the Transport Ministry the trains were always late and he was delayed. I am concerned to raise the morale of the police in the western suburbs, who are worried about their future. Promotions are being delayed pending the appointment of a superintendent or chief inspector who will be in charge of Altona North district. Other members of the force do not know whether to apply for appointment to a vacancy; they do not know whether they will be located in Altona North in a better job or what the future holds for them. I have worked on a 24-hour cycle seven days a week. I can understand the concern of police in the area. I raise also the matter of the Chief Secretary not answering correspondence. I ask the Minister to state what is to be done about the Sunshine police station.

**The Hon. W. V. HOUGHTON** (Minister of Health): The first matter raised was the problem of foot rot in sheep. I should not like to impose on the rural community of Victoria a vaccine, the effectiveness of which is doubtful, although it is said to be successful. Having laboured over the bloody feet of thousands of sheep, I am loath to suggest we

yet know anywhere near enough about foot rot. I am quite willing to bring the matter that Mr. Evans raises to the attention of the Minister of Agriculture.

Mr. White raised the matter of Sunbury land acquisition for a hospital. The Government intends to provide a hospital for Sunbury.

The Hon. R. J. EDDY: When?

The Hon. W. V. HOUGHTON: The important question is when. I assure Mr. White that the matter is not being delayed over the acquisition of land. Land has been located for the building of a hospital for Sunbury but it is owned by a religious order whose rules exclude it from negotiating the sale of land and require the issue of an acquisition order. If that is done the religious order will be quite happy to co-operate. Land acquisition is not a bar to the provision of a hospital for Sunbury; the bar is the provision of the necessary funds.

The Hon. A. J. HUNT (Minister for Local Government): The question of the inquiry into the role, structure and administration of local government was raised by Mr. Wright. Mr. Malcolm Bains has arrived from England and commenced work as chairman of the inquiry. At the moment he is considering the written submissions. The inquiry's work is likely to be held back somewhat as a result of the regrettable illness of Mr. John D. Fagan, which is a blow to local government in general in Victoria. That gentleman is revered, respected and indeed loved throughout local government circles in this State. I am sure that we all wish him a speedy recovery from his suffering and that he returns soon to his task. At this stage we do not know whether his illness will require the appointment of someone in his place. I should hope not, as he was a key man in this inquiry, acceptable to every branch of local government, including councillors, clerks and engineers. The Government has not been idle. It has prepared a list of names of persons

for appointment if necessary, but only as a last resort, as it is the wish of the Government to retain the invaluable services of Mr. John Fagan on this inquiry.

I turn now to the composition of the board of review, which was a matter raised by Mr. Wright. The composition of the board was discussed in detail with the Municipal Association of Victoria, the Institute of Municipal Administration and the Local Government Engineers Association. The three personnel with local government background were unanimously agreed upon by all bodies; there was never any question of that. It was suggested that in addition there should be an advisory panel to bring in expertise from country and city local government, engineers, clerks and also academics. That was put to Cabinet, which in its wisdom considered it impossible to expect a board undertaking the most major inquiry in Australia to operate with another panel looking over its shoulder all the time. I accept that reasoning, as have most people to whom I have explained the matter. The result has been that this and that group has considered that it is not represented. Engineers and practising clerks consider that they are not represented, that there is no serving councillor, representative of a provincial city or no country councillor. One could go on endlessly on this matter. In accordance with all these representations, the board of inquiry would end up at the very least with eleven or twelve members. Quite clearly, such a board could not undertake the task required of it in any effective way, if at all.

I should point out further that it is not intended to be a representative board but a board with a breadth of perspective that investigates every aspect. The representation will be by the various associations and professional bodies that will provide their input to the board. Thus both metropolitan and country councillors and those from provincial cities will be heard through the representations of their own municipalities, district

municipal associations and the Municipal Association of Victoria. Representations of country and city engineers will be heard through the Local Government Engineers Association and Australian Professional Engineers Association. Similarly, the submissions of clerks should be collated and pressed as strongly as possible by the Institute of Municipal Administration. I should hope that academics practising in the local government field will also consult and make representations to the board of inquiry. The board is there to sift the evidence and to come up with long-term solutions in the interests of local government as a whole in Victoria.

I turn to the final matter raised by Mr. Wright. I do not consider that he was fair to Mr. Bains when he referred to him as one whose record showed him to be interested in amalgamations. That misconception arises from the fact that Mr. Malcolm Bains was appointed in Great Britain to give effect to the decisions already taken by the Government on the implementation of the Radcliffe-Maude report, which required amalgamation. The Government decided that amalgamations were to take place and there was a campaign to determine how this should occur. In those circumstances it is unfair to blame Mr. Bains for the decision to amalgamate. In any event, this inquiry is not about amalgamations. The inquiry will not redraw any boundaries or bring about of itself any changes in the boundary of any single municipality. The inquiry is into the role, structure and administration of local government. If anything can be said about Mr. Bains from his past writings, it is that he is a man who believes in efficiency and effectiveness in local government. Within limits, he believes in delegation of authority. He believes, contrary to many others, that the boundary line between policy and administration, which had been seen by many people as being in two separate compartments, is nowhere near as definite as may have been thought in the past. It is in these fields that Mr. Bains has special expertise and the

Government hopes that he will prove to be of great value to the State in assisting to chart the course of local government for many years to come.

**The Hon. HADDON STOREY** (Attorney-General): Mr. Eddy raised the question of the building of a 24-hour police station in the Shire of Whittlesea and pointed out that land had been purchased in 1970. He pointed out also that at the moment all police stations in the shire close at 5 p.m. He also said that he had been a member of a deputation to the then Chief Secretary earlier this year but is still awaiting an answer on when the 24-hour police station will be built on the land that has been purchased. I understand his concern. I shall certainly draw the attention of the Chief Secretary to the problem and ask if he can expedite an answer to Mr. Eddy on the future plans and proposals for a 24-hour police station in Whittlesea.

**The Hon. R. J. EDDY:** That is not good enough. I thought the Attorney-General might come up with an election promise.

**The Hon. HADDON STOREY:** I shall draw that comment to the Chief Secretary's attention, too. Mr. Knight raised another question about police stations. He referred to the proposed police station at Altona and the concern of the police about promotion and their future when the Altona North police station is built. He asked me to refer the matter to the Chief Secretary who presents a good image in most matters with which he is concerned and who will reflect fully upon the matters suggested by Mr. Knight. I think that the answer will shine forth from the Chief Secretary. This will be in contrast to the glazed look some people have when these sort of matters are presented to them. I will be pleased to draw this matter to the attention of the Chief Secretary and ask that he respond to Mr. Knight as promptly as he is able to. I assure Mr. Knight that the Chief Secretary will present, not a mirror image of Mr. Knight

when he looks at this, but will give proper consideration to it and inform Mr. Knight of the present position.

**The Hon. D. G. CROZIER** (Minister for State Development Decentralization and Tourism): Mr. Dunn raised the matter of the reported closure of Goulburn Knitting Mills in Hamilton and asked three specific questions. The first was whether I had discussed the reported closure of the mills with officials of the company. I have not, but my officers have, and as a consequence I am fully briefed on the situation. The second question asked by Mr. Dunn was whether it was a fact that the company will cease operations. My understanding is that, regrettably, that is the case. The third question asked by Mr. Dunn was whether I could give an assurance that every effort would be made by my department to locate, and assist in the establishment of, a suitable replacement industry. I assure Mr. Dunn and the House that my department will certainly be endeavouring to do that.

It is an inevitable fact of life that from time to time the Department of State Development Decentralization and Tourism is confronted with this sort of situation. A situation of this kind is no stranger to the department, particularly in the textile industry, which, as honorable members will recall, was one of the principal sufferers from that radical change of policy during the heady days of a former Federal Government. I am not suggesting that was the principal reason for the decision in this case but, nevertheless, it is a matter of record that the textile industry was seriously mauled in the period between 1973 and 1975. I assure Mr. Dunn that, if this situation comes to pass, which now seems likely, every effort will be made by my department to find a suitable replacement industry.

The motion was agreed to.

*The House adjourned at 8.50 p.m. until Tuesday October 10.*

## QUESTIONS ON NOTICE.

### HOUSING COMMISSION UNITS FOR WEDDERBURN.

(Question No. 179)

**The Hon. K. I. WRIGHT** (North Western Province) asked the Minister of Water Supply, for the Minister of Housing—

(a) What are the contract details of seven low-rental units under construction at Wedderburn, including the name of the contractor, the contract price, and completion date?

(b) Is the Minister of Housing aware that very little progress has been made over a long period?

(c) If the contractors are unable to continue, will the Minister arrange for re-allocation of the contract as a matter of urgency?

**The Hon. F. J. GRANTER** (Minister of Water Supply): The answer supplied by the Minister of Housing is—

(a) Contractor—Kingdom Homes Pty. Ltd. Contract let—17th October, 1977. Work commenced on site—14th November, 1977. Scheduled completion date—19th July, 1978.

Contract is for nine bed-sitter units and one one-bedroom unit.

Value of contract was \$132,761 plus rise and fall.

(b) Yes.

(c) Yes.

### YOUTH, SPORT AND RECREATION FUNDS.

(Question No. 205)

**The Hon. R. J. EDDY** (Thomastown Province) asked the Minister of Water Supply, for the Minister for Youth, Sport and Recreation—

What finance has been, and will be, allocated this financial year to organizations within the Thomastown Province from the Youth Fund and the Sports and Recreation Fund, naming the organization and the amount in each case?

**The Hon. F. J. GRANTER** (Minister for Water Supply): The answer supplied by the Minister for Youth, Sport and Recreation is—

Grants approved from the Sports and Recreation Fund and the Youth Fund in the current financial year are as follows—  
Youth Fund—

|                                      |       |
|--------------------------------------|-------|
| Community School Programme Grants    |       |
| Campbellfield Heights Primary School |       |
| Council                              | \$426 |
| Corpus Christi Primary School Parish |       |
| Board—Glenroy                        | \$500 |

|                                       |       |
|---------------------------------------|-------|
| Fawkner East Primary School Council   | \$301 |
| Pennyroyal Primary School, Whittlesea | \$296 |
| Watsonia Primary School Council       | \$500 |

## Sports and Recreation Fund—

City of Broadmeadows—Broadmeadows

Town Recreation Complex

Subsidy \$131,000

Loan 119,000

Total allocation \$250,000

Bundoora Park Committee of Management \$22,000

All major municipal projects for the 1978–79 financial year have now been finalized. Youth Fund general grants to youth organizations are presently under consideration and it is expected that these grants will be announced in November, 1978.

**DECENTRALIZED INDUSTRIES.**

(Question No. 207)

**The Hon. K. I. WRIGHT** (North Western Province) asked the Minister for State Development Decentralization and Tourism—

(a) How many approved decentralized industries are there in Mildura, Horsham, Swan Hill, Portland, Hamilton, Bendigo, Ballarat, Wodonga, Wangaratta, Echuca and Shepparton, respectively?

(b) What is the total number of approved decentralized industries in Victoria, and how many new approvals were granted in 1977–78?

(c) What was the total amount of pay-roll tax rebated in 1977–78?

**The Hon. D. G. CROZIER** (Minister for State Development Decentralization and Tourism): The answer is detailed and I seek leave to have it incorporated in *Hansard* without my reading it.

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

(a) Listed below are the numbers of approved decentralized secondary industries and approved decentralized establishments—sawmills—operating as at the 21st September, 1978, in the following locations—

| Location                                                                       | Number of approved decentralized secondary industries | Number of approved decentralized establishments (sawmills) |
|--------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------|
| City of Mildura .. .. .                                                        | 64                                                    | ..                                                         |
| City of Horsham .. .. .                                                        | 48                                                    | 1                                                          |
| City of Swan Hill .. .. .                                                      | 28                                                    | ..                                                         |
| Town of Portland .. .. .                                                       | 39                                                    | 1                                                          |
| City of Hamilton .. .. .                                                       | 41                                                    | 1                                                          |
| City of Bendigo (including Golden Square, Eaglehawk and Kangaroo Flat) .. .. . | 172                                                   | 1                                                          |
| City of Ballarat (including Shire of Ballarat) .. .. .                         | 174                                                   | 4                                                          |
| City of Wodonga .. .. .                                                        | 45                                                    | 1                                                          |
| City of Wangaratta .. .. .                                                     | 61                                                    | ..                                                         |
| City of Echuca .. .. .                                                         | 34                                                    | 2                                                          |
| City of Shepparton .. .. .                                                     | 107                                                   | ..                                                         |

(b) (i) At 21st September, 1978, there were 2,502 approved decentralized secondary industries operating in Victoria, 278 decentralized special establishments, i.e. within 80-km radius of Melbourne G.P.O. and 201 approved decentralized establishments—sawmills.

(ii) For the financial year 1977–78 there were new approvals for 412 approved decentralized secondary industries, 22 decentralized secondary establishments and 13 approved decentralized establishments.

(c) For the financial year 1977–78 total pay-roll tax rebates amounted to \$18,476,195.

**Legislative Assembly.**

*Tuesday, September 26, 1978.*

**The SPEAKER (Sir Kenneth Wheeler)** took the chair at 4.4 p.m. and read the prayer.

**RETURN OF MEMBER AFTER ILLNESS.**

**The SPEAKER (Sir Kenneth Wheeler):** I think the House would like me to welcome back into

the Chamber the honorable member for Werribee. I am sure all honorable members join me in wishing him a complete recovery along the track to good health and continued good health.

I would like the honorable member to put that question on notice, because if I do not give him a full and accurate answer, it might lead to complications.

### QUESTIONS WITHOUT NOTICE.

#### TRAFFIC FROM WEST GATE BRIDGE.

**Mr. WILKES** (Leader of the Opposition): Has the Premier received details of submissions from the Port Melbourne, South Melbourne and St. Kilda councils regarding assistance to those municipalities for works and other measures designed to alleviate the impact of traffic from the West Gate Bridge in their areas? If so, has the Government made any decisions on those submissions and is he prepared to inform the House what those decisions are?

**Mr. HAMER** (Premier and Treasurer): There have been a number of discussions between those councils and the Minister of Transport on means of alleviating some of the traffic problems seen as a result of the opening of the West Gate Bridge. I am unable to say of my own knowledge what has been discussed in detail, but if and when any financial propositions are made to me, I will certainly consider them.

#### GRAIN ELEVATORS BOARD OFFICES.

**Mr. ROSS-EDWARDS** (Leader of the National Party): Can the Minister of Agriculture inform the House whether the extensions to the Grain Elevators Board offices in Melbourne were commenced without a planning permit? Further, has work on the extensions now stopped because of failure to get that permit?

**Mr. I. W. SMITH** (Minister of Agriculture): We have had some difficulty in this matter because of lack of understanding of suggestions made and directives given to the Grain Elevators Board's personnel.

#### QUEEN VICTORIA MEDICAL CENTRE.

**Mr. McLAREN** (Bennettswood): I direct my question to the Assistant Minister of Health and I refer to the letter that was tabled in this House last week from the Minister of Health to the President of the Queen Victoria Medical Centre, dated 19th September, 1978. I ask the Minister whether he could advise me when the zoning will be completed and when it is proposed to sell the property owned by the Hospitals and Charities Commission in Warrigal Road, Burwood.

**Mr. JONA** (Assistant Minister of Health): The area of land to which the honorable member refers is an area of a little over 7 acres of land on the east side of Warrigal Road between High Street Road and Highbury Road which was purchased by the Hospitals and Charities Commission in the early 1960s. The Hospitals and Charities Commission purchased it at that time with a view to possible hospital development in the area. In more recent times, following a decision of the Government to establish a geriatric hospital to be known as the Eastern Suburbs Geriatric Centre on land in Burwood Road near Springvale Road, and also following upon the decision to include nursing home beds in the proposed new Queen Victoria complex, the Hospitals and Charities Commission has decided to dispose of the land referred to by the honorable member for Bennettswood. Accordingly, the Valuer-General has been asked to give a valuation on this land and steps have been taken through the appropriate channels for this purpose.

At the same time, I remind the honorable member that the land in question has in fact currently been zoned under the Board of Works plan for hospital development and the

Hospitals and Charities Commission will be taking appropriate steps through the appropriate channels to have the land rezoned residential, which is the general zoning classification for land in that area.

#### SUNSHINE LAND.

**Mr. FORDHAM** (Footscray): Will the Minister of Housing agree to table in the Library the file on the Sunshine land which the Housing Commission bought from Tamar Holdings in its capacity as purchasing agent for the Urban Land Council?

**Mr. HAYES** (Minister of Housing): Yes.

#### GRAIN ELEVATORS BOARD.

**Mr. WHITING** (Mildura): Can the Minister of Agriculture inform the House whether the Grain Elevators Board has incurred additional expense for the wheat growers of the State by retaining a firm of public relations consultants, Ronald Anderson and Associates? As the Grain Elevators Board has largely a captive market can he inform the House of the cost of retaining these consultants and the reason for doing so?

**Mr. I. W. SMITH** (Minister of Agriculture): The reason for the Grain Elevators Board retaining the services of Ronald Anderson and Associates is the difficulty it has experienced in conveying the excellent work of the board to the grain growing industry of the State. I am sure that the honorable member will agree that communications are very important and the Government places a high emphasis on keeping the growers fully informed of what is happening in that particular and crucial part of their industry. Off hand, I am not aware of the details of the costs, but, if the honorable member wishes to know that, I shall obtain the figures for him.

#### PETROL TAX.

**Mr. McCLURE** (Bendigo): Is the Minister of Transport aware of recent claims by the Federal Minister

for Transport, Mr. Nixon, that the Victorian Government has been whinging about road maintenance charges? Is it a fact that the Victorian Government is concerned about the collection of pay-roll tax by the Commonwealth and can the Minister advise the House what effects it would have on the State's road-building programme if the Commonwealth Government returned to the State the money collected in petrol tax?

**Mr. MACLELLAN** (Minister of Transport): I think all States have been unanimous in their approach to Federal Governments of varying political colours, if that is the right word to use. Federal Governments have had a tendency to pay large sums of petrol tax into Consolidated Revenue and it is never seen again by the road users. The collection of petrol tax in Victoria is greater by \$100 million—

**Mr. CAIN**: He said pay-roll tax.

**Mr. MACLELLAN**: For the benefit of those honorable members who are interjecting—

**The SPEAKER** (Sir Kenneth Wheeler): Order! The Minister can answer the question as he thinks fit.

**Mr. McCLURE** (Bendigo): Could I clarify that point?

**The SPEAKER**: It is not a matter of clarity. The honorable member asked the question and I am almost certain that the Minister of Transport clearly understood it. It is the Minister's prerogative to answer it as he chooses, and I trust that the honorable gentleman will answer the question that was asked and not something else.

**Mr. MACLELLAN** (Minister of Transport): I did not want to be pedantic and explain to the House, because I thought it was unnecessary to point out that the Commonwealth Government does not collect pay-roll tax; the States do. The Commonwealth Government collects petrol tax and, in the last part of his remarks, the honorable member for Bendigo referred to petrol tax.

**Mr. WILTON** (Broadmeadows): On a point of order, it is obvious that the honorable member for Bendigo has mucked up a Dorothy Dix question.

The **SPEAKER**: Order! That is not a point of order.

**Mr. WILTON**: I was endeavouring to make it. My point of order is that fuel tax is a matter of Commonwealth administration and does not come under the control of the Minister of Transport. The honorable gentleman may have some personal views on what Victoria should be receiving, but it is a matter of Commonwealth administration and I object to Ministers arranging Dorothy Dix questions to enable them to make a political speech.

The **SPEAKER**: Order! The Minister of Transport answers for the Attorney-General and Minister for Federal Affairs.

**Mr. MACLELLAN** (Minister of Transport): I will be seeking a higher duties allowance.

The **SPEAKER**: I am not seeking a higher duties allowance. I ask the Minister to answer the question and to be as brief as possible.

**Mr. MACLELLAN**: The end result is that the Commonwealth Government collects \$100 million more in fuel tax in Victoria than it spends on Victorian roads. If the States are going to have to raise money, it will have to be done by imposing higher registration fees and increasing costs.

All States have unanimously put the view to the Federal Minister for Transport that a fuel tax should be spent on roads, not pocketed by the Commonwealth. States of all political colours are unanimous that this is the best policy for Federal Governments to pursue.

Nationally, the Federal Government collects \$272 million more in road tax than it distributes back to the States. These figures do not include the recent Budget increase, and I think it is fair to estimate that the Commonwealth's

surplus that is paid into Consolidated Revenue for other purposes would be in the region of about \$500 million annually.

That money could be used to repair roads in Victoria and other States, and all States are unanimous in the view that it ought to be used for that purpose.

### **TAMAR HOLDINGS PTY. LTD. LAND PURCHASE.**

**Mr. SIMPSON** (Niddrie): I direct a question to the Premier. I refer to pages 2768 and 2768A of the transcript of evidence given at the Gowans inquiry, which quotes the Premier as having instructed the then Minister of Housing, Mr. Dickie, to ascertain in advance whether any leading members of the Liberal Party were involved in the Melton land purchases.

Did the Premier give a similar instruction in regard to the land purchase from Tamar Holdings Pty. Ltd. for the Urban Land Council?

**Mr. HAMER** (Premier and Treasurer): I must ask the honorable member to put that question on notice. I have no copy of the Gowans report, nor have I read all the evidence given at the inquiry, so if I am asked to comment on some reference contained in it, I will have to have it before me.

### **HOUSING COMMISSION LAND PURCHASES INQUIRY.**

**Mr. B. J. EVANS** (Gippsland East): I direct a question to the Treasurer and refer to item 76 in the schedule of expenditure from Advances to the Treasurer, which shows \$67,172 as legal expenses for the Honorable A. J. Hunt at the Board of Inquiry into the Housing Commission Land Purchases.

Can the honorable gentleman advise the House who authorized that expenditure; will he provide the House with information giving a breakdown of this amount, including the names of the persons to whom the sums were paid, and will he lay the file relating to this matter on the table?

**Mr. HAMER** (Premier and Treasurer): The answer is, "Yes".

### **GEELONG TROTTING TRACK.**

**Mr. BIRRELL** (Geelong West): Following the substantial success of the opening of the Geelong Trotting Track last Wednesday, attended by 12,000 people, will the Minister for Youth, Sport and Recreation consider transferring showground meetings to the track in Geelong, as it is a run of only half an hour from the centre of Melbourne?

**Mr. DIXON** (Minister for Youth, Sport and Recreation): Several honorable members journeyed to Geelong for the opening of the magnificent trotting complex there; I understand that 15,000 people actually attended the opening.

The proposal made by the honorable member would require legislation, and it is also a matter for the Trotting Control Board. There is no doubt that the point raised by the honorable member will be given consideration in the development of trotting in Victoria, and I shall ask the Trotting Control Board to give me a report of its views on the matter.

### **COMPENSATION FOR VOLUNTEER FIREMEN.**

**Mr. AMOS** (Morwell): Has the attention of the Chief Secretary been directed to a submission made to his predecessor by the Victorian Rural Fire Brigades Association concerning a proposed compensation scheme for volunteer firemen? If so, can he inform the House what stage the Government has reached in considering the proposal?

**Mr. RAFFERTY** (Chief Secretary): I do not recall that that matter has been drawn to my attention, other than now. I shall make it my business to have the matter examined and inform the honorable member of the result.

### **BENDIGO-SWAN HILL RAIL PASSENGER SERVICE.**

**Mr. WOOD** (Swan Hill): Will the Minister of Transport advise the House whether there is any foundation to rumours which are circulating—

**The SPEAKER** (Sir Kenneth Wheeler): Order! The honorable member may not ask a question based on rumours.

**Mr. WOOD**: Is it a fact that the Victorian Railways intend in the near future to terminate the passenger service between Bendigo and Swan Hill?

**Mr. MACLELLAN** (Minister of Transport): I have received correspondence regarding this matter, and if I have not yet sent an answer to the honorable member, I certainly have one ready. At this stage there is no proposal to close that service.

### **SCIENTOLOGY.**

**Mr. FRANCIS** (Caulfield): In view of the fact that scientology was banned in Victoria following the Anderson report, and in view of the fact that there is an outbreak of scientology within this State, can the Chief Secretary advise the House what the Government proposes to do?

**Mr. RAFFERTY** (Chief Secretary): The answer is, "No, I cannot advise the honorable member at present." I advise him, however, that I believe the legislation on this matter comes under the jurisdiction of the Minister of Health. I should have thought that the honorable member would know that, being a Queen's Counsel.

### **HELICOPTER FOR POLICE DEPARTMENT.**

**Mr. EDMUNDS** (Ascot Vale): In view of the recent outbreak of armed holdups in the community and the fact that when the Victoria Police Force leased a helicopter, armed holdups diminished, can the Chief Secretary advise the House when the Government will announce who is the successful tenderer for the supply of a helicopter on a permanent basis to the Victoria Police?

**Mr. RAFFERTY** (Chief Secretary): Recently I made a statement in a press release on this matter. I will refer to that release because it precisely answers the question asked by the honorable member. It was to the effect that experts of the Royal Australian Air Force and the Federal Transport Department are giving technical assistance on tenders for the first police helicopter in Victoria. The tenders are for a twin-engined helicopter. They have closed and they are presently being evaluated by a special committee of representatives of the Chief Secretary's Department and the Police Department. There is a great deal of material in the tenders and specifications. It is highly technical and the committee has been receiving valuable assistance from the Royal Australian Air Force and the Federal Transport Department. I would expect that the report to the Government will be available quite soon. I cannot give a specific date, but as soon as the report is available I feel certain a rapid decision will be made by the Government in its usual form. However, until the final tender is chosen, and the helicopter is available, the police may have the use of helicopters on lease whenever they consider it is necessary.

#### HOUSING COMMISSION HOMES.

**Mr. JASPER** (Murray Valley): Can the Minister of Housing clarify the position relating to the construction of two-bedroom houses in country Victoria? Does the Housing Commission intend to continue building two and three-bedroom homes? If it is going to build two-bedroom homes, what type of houses will be built?

**Mr. HAYES** (Minister of Housing): The Housing Commission intends to continue building two, three and four-bedroom houses throughout Victoria in the proportion of 60 per cent to 65 per cent in rural Victoria as opposed to the metropolis. The particular stock of two-bedroom units which the commission is pursuing at present is more in the range of what I might describe as terrace type replacement houses. That practice is

certainly being pursued in Wendouree West at present. The commission endeavoured to build this type of stock in Maidstone, but that plan did not come to fruition.

I reiterate that the commission will continue to develop two-bedroom stock in both single and multi-level structures because there is an increased need for this type of stock.

#### ACTIVITIES OF LIGHT AIRCRAFT.

**Mr. McARTHUR** (Ringwood): I refer to inquiries made to the Minister of Transport some eight weeks ago concerning alleged irregular activities of light aircraft flying over the residential areas of East Ringwood and South Croydon. I understand that the Minister of Transport has in his possession an explanation from the Federal Minister, Mr. Nixon. Can the honorable gentleman indicate to the House some of the contents of that report?

**Mr. MACLELLAN** (Minister of Transport): The contents of the letter that I received from Mr. Nixon are of a character which, I suppose, no Minister would be proud to make public. The suggestion was that if the people in the area could obtain firm details, including the registration of the aircraft, and then use a certain telephone number to convey those details, the Commonwealth would be willing to investigate any misbehaviour by pilots of light aircraft.

That seems to me to expect a lot of suburban members of the public. It requires them to be able to obtain sufficient sight of the aircraft to observe the appropriate number, and that would depend very much on the plane's height above the ground and the speed at which it was travelling above the particular residence. I am anxious to have further conversations with the Commonwealth department to ascertain if a better and more useful response can be obtained to assist those people who are disturbed by pilots using their planes irresponsibly over residential areas.

### HOUSING COMMISSION UNDERTAKING.

**Mr. WILTON** (Broadmeadows): Was the undertaking entered into by officers of the Housing Commission and Mr. Hirst, a Housing Commission tenant, in the Supreme Court on 15th September at the instruction of the Minister of Housing, and does the undertaking, which was given before Mr. Justice Brooking, extend to all Housing Commission tenants?

**Mr. HAYES** (Minister of Housing): For all honorable members other than the honorable member for Broadmeadows and myself, that question may sound rather involved. Perhaps I should explain some background. Mr. Hirst, who, I believe, is the Secretary of the Housing Commission Tenants Union, sought in the Supreme Court last Friday week an injunction to restrain the Housing Commission from evicting him for refusing to pay the increased rents that have applied from 23rd July last. He also contested, given advice from the Fitzroy Legal Service—

**The SPEAKER** (Sir Kenneth Wheeler): Order! Is this matter set down for hearing?

**Mr. HAYES**: It is set down, Sir. Mr. Hirst also set out to persuade the Supreme Court that the Housing Commission's power to introduce market-related rents was invalid.

Mr. Justice Brooking accepted an assurance by the commission—not at my instruction—that Mr. Hirst would not be caused to be evicted should he prefer not to pay the increase in rent, which he had been doing for some weeks before this action was brought. As I recall it, Mr. Justice Brooking then set down the balance of the action for hearing by the Supreme Court, in due course. No exempting attitude is being taken by the commission in regard to tenants, other than Mr. Hirst.

### FREEWAY F2.

**Mr. MUTTON** (Coburg): Can the Minister of Transport inform the House what progress has been made by the Country Roads Board with the construction of Freeway F2 between Mahoneys Road and Bell Street, Coburg?

**Mr. MACLELLAN** (Minister of Transport): I cannot advise the honorable member or the House of those details. However, I will take the matter as a question on notice and will provide the honorable member with the detailed information as soon as I can obtain it from the Country Roads Board.

### COMMUNITY EDUCATION PROGRAMME.

**Mr. SKEGGS** (Ivanhoe): Further to a matter which I have raised previously with the Minister of Education regarding the appointment of a community education officer for Heidelberg, can the Minister advise on the success of the community education officer programme in Victoria?

**Mr. THOMPSON** (Minister of Education): Briefly, under the vigorous leadership of Dr. Ian Bennett, the community education programme has been highly successful. It has been tried on an experimental basis in a range of areas, and there have been demands from municipalities and organizations that have not had the benefit of community education officers, that officers should also be appointed to those areas. On Friday I was at Williamstown where people spoke in florulent terms of the work done by the community education officer in that area.

### QUEEN VICTORIA MEDICAL CENTRE.

**Mr. ROPER** (Brunswick): I raise with the Assistant Minister of Health a question concerning the Queen Victoria Medical Centre. Has the Queen Victoria Medical Centre committee of management been authorized to have discussions with an

American based multi-national hospital corporation or is the Health Commission aware of such discussions and do the discussions centre on the corporation building a commercial hospital on the McCulloch House site in Clayton, and if so, what stage has the discussion reached? Can the Minister also advise whether the Government or the commission has taken any attitude towards such discussions?

**Mr. JONA** (Assistant Minister of Health): The honorable member for Syndal has placed on the Notice Paper a series of questions relating to the proposed development of the Queen Victoria complex at Clayton, and the matter which the honorable member for Brunswick now raises is well incorporated within those questions.

**Mr. EDMUNDS**: How do you know?

**Mr. JONA**: If the honorable member had read the question on the Notice Paper he would have drawn my attention to it. I will ensure that he receives a copy of the answer in due course.

**Mr. ROPER** (Brunswick): I raise a point of order. The question set down by the honorable member for Syndal last week concerned the details of the proposition announced in last Wednesday's debate by the Minister of Special Education. I am referring to a matter that is quite separate. It is totally unrelated to question No. 1354 on the Notice Paper.

**Mr. JONA** (Assistant Minister of Health): I draw attention to the first part of question No. 1354 in the name of the honorable member for Syndal. It asks whether the proposal associated with the relocation of the Queen Victoria Medical Centre will be capable of extension, to provide additional beds if they are required. A full answer will be given to that part of the question, which will incorporate the matters referred to by the honorable member for Brunswick.

If the honorable member for Brunswick doubts my word on that, I suggest that he should do the same as the honorable member for Syndal has done and put his question on notice.

### **MOTOR VEHICLE EMISSION.**

**Mr. COX** (Mitcham): Has the attention of the Minister for Conservation been drawn to a public statement by the Opposition spokesman for conservation indicating that emission from motor vehicles is reaching a dangerous level in the metropolitan area? Will the honorable gentleman indicate whether that statement is accurate?

**Mr. BORTHWICK** (Minister for Conservation): I have already indicated to the honorable member for Carrum that his statement to the press was quite inaccurate and misrepresented the position.

### **ALTERNATIVE EDUCATION IN RICHMOND.**

**Mr. SIDIROPOULOS** (Richmond): In view of the fact that the future of many secondary students in Richmond depends upon the success of the project called "An alternative in education in Richmond", is the Minister of Education prepared to proceed on his previous decision regarding the appointment of two teachers for the establishment of that project?

**Mr. THOMPSON** (Minister of Education): I did not quite catch the project to which the honorable member referred.

**Mr. SIDIROPOULOS** (Richmond): I was referring to an alternative to education in Richmond. I think the Minister made a decision not to appoint the two teachers he has been asked about. The alternative in education in Richmond is needed for the children who are not prepared to attend an ordinary secondary school, but who require the establishment of a new school, like the Collingwood Education Centre.

**Mr. THOMPSON** (Minister of Education): I would be pleased to examine the details mentioned by the honorable member and will give him a definite reply once I have examined them.

### PETITION.

#### HEALTH CARE SERVICES.

**Mr. ROPER** (Brunswick) presented a petition from certain electors of the State of Victoria praying that in view of the Federal Government's changes in health care—

1. No action is taken to disrupt the successful existing system of health care delivery through the imposition of fees for service.

2. The range and quality of medical and supportive services provided by the Eaglehawk Community Health Centre be maintained and expanded according to need.

3. A guarantee be given to the Eaglehawk community that no new charges be levied for health care checks in the areas of diabetes, hypertension, glaucoma, breast cancer and immunization.

He stated that the petition was respectfully worded, in order, and bore 329 signatures.

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

### PUBLIC ACCOUNTS COMMITTEE.

#### EXPENDITURE ON PARLIAMENTARY PRINTING.

**Mr. REESE** (Heatherton) presented the Treasury minutes on the interim and further reports of the Public Accounts Committee upon expenditure on Parliamentary printing, together with extracts from the reports.

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

### PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Education Act 1958—Resumption of Land at Keysborough—Certificate of the Minister of Education.

Legal Profession Practice Act 1958—Victoria Law Foundation—Report for the year ended 30th September, 1977.

Police Regulation Act 1958—Determination No. 302 of the Police Service Board.

State Savings Bank of Victoria—Reports, Statements, Returns, &c., for the year 1977–78. Ordered to be printed.

Statutory Rules under the following Acts—

Abattoir and Meat Inspection Act 1973—No. 332.

Cluster Titles Act 1974—No. 331.

Fruit and Vegetables Act 1958—No. 334.

Magistrates (Summary Proceedings) Act 1975—No. 330.

Public Service Act 1974—No. 336, P.S.D. Nos. 92 to 96.

Stock Diseases Act 1968—No. 333.

Transfer of Land Act 1958—No. 335.

Town and Country Planning Act 1961—

City of Traralgon Planning Scheme 1957, Amendment No. 10, 1977.

Shire of Kilmore Planning Scheme, Amendment No. 27, 1977.

Shire of Sherbrooke Planning Scheme 1963, Amendment No. 106, 1977.

Wangaratta Sub-Regional Planning Scheme, (City of Wangaratta), Amendment No. 1.

Wangaratta Sub-Regional Planning Scheme, (Shire of Wangaratta), Amendment No. 1.

### LAND TAX BILL.

**Mr. HAMER** (Premier and Treasurer), pursuant to Standing Order No. 169, moved for leave to bring in a Bill to amend the Land Tax Act 1958, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

### COUNTRY ROADS (BORROWING POWERS) BILL.

**Mr. MACLELLAN** (Minister of Transport), by leave, moved for leave, to bring in a Bill to amend the Country Roads Act 1958, to enable the Country Roads Board to borrow money on overdraft and on issue of debentures and inscribed stock, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

### TRUSTEE (AUTHORIZED INVESTMENTS) BILL.

Mr. MACLELLAN (Minister of Transport), by leave, moved for leave to bring in a Bill to amend Part I. of the Trustee Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

### VICTORIA LAW FOUNDATION BILL.

Mr. MACLELLAN (Minister of Transport), by leave, moved for leave to bring in a Bill to amend the constitution of the Victoria Law Foundation, to amend the Legal Profession Practice Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

### MELBOURNE (SNOWDEN GARDENS) LAND BILL.

Mr. BORTHWICK (Minister for Conservation), by leave, moved for leave to bring in a Bill to amend the Melbourne Snowden Gardens Land Act 1975.

The motion was agreed to.

The Bill was brought in and read a first time.

### APPROPRIATION MESSAGES.

The SPEAKER (Sir Kenneth Wheeler) announced that he had received messages from His Excellency the Governor recommending that appropriations be made from the Consolidated Fund for the purposes of the following Bills—

Mildura Irrigation and Water Trusts (Amendment) Bill.

Mines (Miscellaneous Provisions) Bill.

Road Traffic Bill.

### COUNTRY ROADS (AMENDMENT) BILL.

The debate (adjourned from September 14) on the motion of Mr. Maclellan (Minister of Transport) for the second reading of this Bill was resumed.

Mr. CRABB (Knox): When this Bill initially appeared on the Notice Paper it seemed that it was a fairly minor Bill. It is not; it is a major Bill, and is of major significance to the transport planning procedures in this State. I object strongly and strenuously to the method of introduction of this measure in that only one week was allowed to the Opposition and the National Party to prepare a response to the Government's proposals.

The vital provisions of the Bill were ill-explained in only one paragraph. The major provision of the Bill is in clause 3. It amends the principal Act so that the Country Roads Board will in future administer the Act subject to the specific direction of the Minister in regard to a specific matter or matters. That is a different situation from that which has existed in the past. The Minister, in explaining his reasons for introducing the measure, merely stated that the Country Roads Board was substantially involved in planning improvements of the transport system and it ought to be in its activities related to all aspects of transport and community life generally. The Minister stated that this role of co-ordination suggested that this power should be available. The power to which he was referring was presumably the power given to him by the Bill, namely, to direct the Country Roads Board on specific matters.

It is not good enough for the Government to make such a radical change to circumstances which have prevailed in the past with only three sentences of explanation, and with only one week for the Opposition and the National Party, and the community at large, to consider the implications.

Mr. MACLELLAN: Would you like more time?

Mr. CRABB: The Opposition asked for more time last Thursday, but did not get it. However, we have managed to do the work required to understand what is proposed. It is within the capacity of the Opposition to handle Bills of this type. Although the Opposition has been able to handle the Bill, I am not sure that the community at large has done so and when I peruse the Minister's brief explanation, I am doubtful whether the Minister has had time to think the matter through.

The Opposition has thought about this matter deeply for a number of years and, therefore, it is able to respond to the Bill fairly early. It is evident from the Bill and the second-reading notes that the present Minister and his two predecessors have never given any thought to transport planning in Victoria. There has been a total lack of co-ordination and planning of transport in this State. There has been a system of *ad hoc* decisions. I cannot say what happened earlier than that because it was before I was elected—and it is still going on at this moment.

Many honorable members would know about the Balmoral line in western Victoria which the Victorian Railways decided to close purely on the basis of financial considerations. The railways have taken the decision that the closure of the line will save the railways money but they have not considered that it will cost the community a lot more money to upgrade the roads for the trucks which will carry the freight which otherwise would have been carried by the railways. That is a prime example of bad transport planning. It is not the only example; there are many.

In 1969, before the 1970 State election, when the Government was almost as worried about its prospects as it is now, it introduced the 1969 Metropolitan Transportation Plan. That plan was a voluminous document

and was the product of a good deal of work by many people. It included, from memory, 300 miles of freeways, 100 miles of new arterial roads, and 200 miles of widened arterial roads. That was a plan—one cannot deny that. The Metropolitan Transportation Plan not only included those freeways and roads, but a model for the metropolitan transport system which included the underground railway, duplication, triplication, improved rolling-stock, and all the other measures of which most of the community would still be deserving. However, there has not been a proper plan since 1969; all that has happened is that the Government has rubbed out bits, changed other bits, and we are left with the *ad hoc* decisions which have characterized transport planning since 1969.

In 1973, again before a State election—the next State election following the introduction of the 1969 plan—the Premier made an announcement which scrapped almost all of the inner city freeways. The Government virtually took a rubber and rubbed out all the lines representing freeways in the inner city area, and left those in the outer areas with no end to them. In fact, 50 per cent of the freeways were scrapped then on the metropolitan plan, and that left half a plan.

By 1976, the Premier was talking about a five-year forward-look programme which was never documented and never included anywhere except as a slogan in election literature. It merely meant the scrapping of a few more of the freeways in the 1969 plan without replacing them with anything else—a suburban roadwork or public transport that would serve the purpose. That was not the end of it. By 1976 there was virtually nothing left of the 1969 transport plan. Then the new Minister of Transport, the present Chief Secretary, came on the scene and started to make grand announcements about what he was going to do about transport, and late last year an article appeared in the *Age* headed,

"Freeways face axe. Minister hints road plans likely to be dropped."

This article contained the report of a television interview. The then Minister of Transport indicated that there was a possibility that some freeway mentioned Freeway F2 or part of it proposals would be dropped; he and said that the Government would continue to scrap other freeways. Statements of this type have been made with amazing regularity, but in a statement in November last year the then Minister of Transport referred to a new transportation plan, and this has been eagerly awaited by everybody involved in transport for the past eighteen months. However, it never seems to arrive. It is still not known where that transport plan is.

It is remarkable that a Minister should present a Bill of this type to this House without mentioning the Melbourne transport plan. Indeed, I noticed in newspapers the other day that it is not now called the Melbourne transport plan, but the State transport plan. Everybody involved in transport eagerly awaits the release of the plan.

In February this year, the Premier told the Melbourne *Herald* that he had a plan, and in this article it is stated—

On the Premier's lap was a bulging, blue-covered dossier half hidden by his hands. On a sudden impulse he held it up.

One can imagine the honorable member for Forest Hill writing those words. It continues—

"You are the first to see this", said Mr. Hamer. "There are only four in existence."

The title on the cover read, "The Transport Plan 1978".

If the Minister does not release it soon, he will have to change at least the front page because 1978 is running out fast. In that article in the *Herald* the Premier seemed to change tack on freeways, and said that freeways were being extended. Many statements in that

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article in the *Herald* of this year turned out to be far from the truth. One paragraph read—

There are some interesting tidbits, too. Legalised car pooling, for instance, with its obvious benefits of cutting travelling costs, reducing traffic congestion, saving fuel consumption and further reducing air and noise pollution. "Legislation is under way," the Premier said.

Honorable members know what is in the Bill. It does not legislate for car pooling. Car pooling remains as illegal today as it was then and, as the Minister states, it is likely to remain illegal for some considerable time in the future.

In that same article in the *Herald* in February of this year, the Premier is reported to have said—

There is a lot to be said for a flat rate fare. This is something the new Metropolitan Transit Authority can consider.

Of course there is no metropolitan transit authority. It does not exist. A similar Bill to this was introduced by the previous Minister which gave the Minister of Transport power to co-ordinate the public transport system and to issue contracts to private bus companies. Apparently the establishment of a metropolitan transport system was too difficult; the Government could not do it. Instead, the Minister was given some marginally new powers. The promise of the last two elections to establish a metropolitan transit authority was scrapped by the Government. At least two of the things in the bulging, blue-covered dossier half hidden by the Premier's hands in 1978 have been scrapped.

What else has been scrapped in the so-called transport plan of 1978? There have been many rumours about the contents of that transport plan; for example, the previous Minister had a suggestion that the South-Eastern Freeway ought to have the barrier in the middle removed to allow four lanes of traffic going into the city in the morning and one out, and in the afternoon four lanes going out and one in. I understand that the implementation of that proposal

would be like turning a hose against a brick wall because there would be nowhere for the cars to go when they reached the other end of the freeway.

Another suggestion was that a cordon should be put around the city and cars should not be allowed to pass through that cordon unless they were carrying two or more passengers. It was explained again to the Minister that that would not work in a city like Melbourne where there are alternative routes, because as soon as a major road block was set up, cars would use an alternative route. Cars are hardly as disciplined as the citizens of Singapore.

Another item in the transport plan—it has now been taken out—was a tunnel under the Domain. That has been in the transport plan since 1969, and has continued to be pushed by bodies such as the Royal Automobile Club of Victoria. When one looks at what remains of the 1969 plan, the West Gate Bridge and its concomitant freeway, and the suggestion that the South-Eastern Freeway be extended to meet the Mulgrave Freeway, one sees the inevitability of the freeways meeting through the Domain.

Another rumour relates to a link between the Eastern Freeway and the Tullamarine Freeway. This link which will be struck by having a bridge over the Merri Creek, and channelling traffic along Park Street and Brunswick Road, is a matter of considerable concern to the people and municipalities in that area. However, a description of the transport plan given to me by people who have seen it is that it is a shopping list put together by the various instrumentalities and authorities associated with transport planning in this State.

The fact is, there has been no transport planning in this State for a long time, and the Minister is unlikely to be able to co-ordinate the transport planning authorities, regardless of how much vigour and enthusiasm he may wish to apply to the task. The Government and the Liberal Party have no policy and have no thought

on how to plan and co-ordinate transport in the State. Indeed, the chaos in relation to freeways is an example. Some have been studied and scrapped. An additional freeway—the Mulgrave Freeway which used to be called Freeway F6—went from Frankston to La Trobe University in the 1969 plan. It was scrapped by the Premier in 1973, and that part of the freeway which goes between the Mulgrave Freeway and the South-Eastern Freeway is subsequently to be re-studied by the Government and the Minister.

All these examples demonstrate chaos and lack of planning. The Country Roads Board has received a lot of the blame for this lack of planning. Perhaps no other instrumentality gets as much blame from the community and causes such heated words as does the board.

In fact, the Government has used the board quite shamelessly. It has blamed the board when it has suited its purposes and has taken credit from the board when that has been its wont. The Hume Highway from Melbourne to the New South Wales border is an example of this. The Government ducked out from under and blamed the Country Roads Board for the failure of the highway when in fact it was largely the fault of the contractor whose work was supervised by the Government.

Strange things are happening in the Country Roads Board at this time, and I am disappointed that the Minister did not comment on these matters when explaining the Bill. When he takes the opportunity to reply, perhaps he will refer to these matters in more detail. One example is that the present chairman of the board retires at the end of this year and the Government has advertised publicly for applications for the position. I am informed that it is the first time that the position has been advertised publicly. To an extent, I am concerned that the departure from previous practice implies a vote of no-confidence in the present officers of the board. I invite the Minister's comment on that matter.

As I said earlier, the Government has been left without a policy, an idea or thought of a strategy for transport in this State. On the other hand, the Labor Party has carefully considered and formulated its policy to meet the difficulties to be faced by transport in the next 10, 15, or 20 years. The State needs co-ordinated transport plans. It needs one authority to co-ordinate planning of all types of transport.

We need to look at public transport as it relates to private transport and vice versa. We need to look at commercial transport needs as they fit in with passenger transport needs. We need to look for a system which functions effectively while fuel and energy is still relatively plentiful and cheap and which will continue to operate in the interests and for the benefit of the people when fuel and energy becomes relatively scarce and expensive. It is necessary to move towards a "fail-safe" situation, where the system will continue to operate effectively when fuel is not so plentiful as it is today.

Not only do we need to do that within Victoria, but we need to co-ordinate with other States and with the Federal Government in providing a national transport plan. There has never been such a plan in this State and indeed, given the Government that this State has, how could there be one? How can the Federal Government co-ordinate with a State on transport planning when there is no one with whom to co-ordinate.

Victoria has no transport planning authority. The Country Roads Board is responsible largely for planning roads. Indeed, not so long ago the Melbourne and Metropolitan Board of Works was responsible for planning roads in the metropolitan area. The Victorian Railways Board is responsible for planning railways and the Melbourne and Metropolitan Tramways Board for co-ordinating the tramway system. The only time when these three authorities come together is at meetings of the State Co-ordinating Council. As welcome

an innovation as this is, that body has hardly the staff or the capacity to undertake a proper co-ordination task.

This can be seen in any number of examples. The Victorian Railways seem to fall foul because of a lack of co-ordination and we see examples in the Metrole building in the Flinders Street railway yards, Blackburn station proposals and similar examples all over the State. Perhaps the best example is the railway line between Hamilton and Noradjuha. In that case, the railways rushed into a decision based only on its own peculiar requirements without any consultation with the road planning authority or local municipalities on how much it will cost to provide roads of a suitable standard for an alternative means of transport.

In Government, the Labor Party will establish a Victorian Transport Commission to do exactly what the Minister agrees ought to be done, namely, to co-ordinate, plan and administer the State transport system. Victoria needs the one organization to co-ordinate and plan the system. The commission must be responsible to the Minister and to the Parliament. It ought to include representatives of the Government, employer organizations, private transport industry and community interests, the people who use the transport system.

The transport commission ought to be given responsibility to plan public and private transport systems at all levels. It ought to be the body that determines relative budget allocations and sets general priorities in transport. The commission ought to allocate resources. The commission should also be the body that recommends special projects to the Commonwealth Government, when that is required. It ought also to accept reports and recommendations from various other authorities and then provide the critiques for the Minister. That is the proposition that the Australian Labor Party puts forward.

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All that has been put forward by the Government is a paltry excuse for its failure to have a strategy plan. When explaining the Bill, there was a mere sentence or two stating that the Minister will have the right to direct the Country Roads Board. This is meant to solve all our problems. Even the present Minister's self-confidence could not lead him to believe that he could do this single-handedly; he would need to look to the Ministry of Transport which is presumably going to undertake this vast co-ordination and planning task.

When one examines the schedules attached to the Budget Papers, one finds that the Ministry has a total staff of 47 officers, comprising a director, 28 second division officers, 15 third division officers, and 3 exempt staff, one of whom I assume is Miss Biggs. This is hardly the sort of organization that would have the capacity to co-ordinate and plan the entire transport system of the State.

Not only does the Ministry lack the numbers but, unfortunately, many of the officers have been seconded to the Ministry from the Country Roads Board, the Victorian Railways and other instrumentalities. What on earth is the point in saying that the planning and decision making will be taken from the Country Roads Board and given to the Ministry when the Ministry has a staff of officers who are on secondment for six months from the Country Roads Board? The Government is merely switching hats in regard to strategic planning.

I am not sure that the measure proposed will assist. The only thing this Bill might do is enable the Minister to stop some of the wilder flights of fancy indulged in by engineers of the Country Roads Board. Conversely, it might dangerously take us into other areas. If, from time to time, the Minister of Transport is to be able to direct the Country Roads Board on specific matters, it is not hard to envisage a situation where the Government

would use the board for pork barrelling in marginal electorates, in electorates where a by-election is to be held soon, or for some other reason.

Only last night, a constituent from that Minister's electorate complained to me about the need for a bypass road around Berwick township. I agree there is a need for such a road, but, if the Minister were to use the powers given to him under this Bill to direct the Country Roads Board to build that bypass, even though it may be necessary, the Minister could still be accused of using it as a pork barrel in this case.

There is great danger in adopting this measure. I appreciate the Minister's reasons for wanting it. Anybody who has examined transport planning in Victoria must appreciate that there has not been a plan. During these remarks, I have gone through a brief history of the various transport plans which have applied to the metropolitan area. There has been no plan at all for country Victoria.

Mr. B. J. EVANS: Yes, there has; take as much from the country as you can and put it into the city.

Mr. CRABB: There has been no plan as to where roads should be constructed and which roads will be given priority. It has grown up rather like Topsy. When one visits country shires, one finds out how badly they have been treated by this Government. I was about to say the Country Roads Board, but the board should not be blamed because it is Government policy. The Government has always had the power to direct the board in general terms and therefore it must be by Government direction that four-fifths of Country Roads Board funds are spent in the metropolitan area and a large part of that on urban freeways.

Recent press announcements might give honorable members some hope that there has been a change in the policy but there have been announcements of changes in that policy ever

since the 1969 plan. If honorable members are concerned about the allocation of Country Roads Board funds between rural and metropolitan Victoria, the direction could have been achieved under the existing powers of the Minister. It might be interesting to hear the Minister explain why no Minister has directed the Country Roads Board in that fashion.

Certainly, there has been no co-ordinated plan for country Victoria. The Bland report is now out of date but, even during its currency, it could not be construed as a plan for country Victoria; it was a plan for the Victorian Railways and did not relate to planning for the road system. Victoria needs a co-ordinated plan to cover rail and roads, not only in this State but also interstate, and a plan which co-ordinates the entire State-wide transport system with plans in other States to provide a national transport plan. Without it, this State, and indeed the nation, faces extraordinary difficulties in the foreseeable future when transport will not be an easy matter and fuel and energy resources will be expensive and scarce and it will be expensive and difficult to transport goods around the State.

If Victoria does not have a State-wide network of efficient transport facilities, both road and rail, in ten years' time country Victoria will be worse off than it is today. It will be impossible for primary producers to move their produce to the markets and to the ports and in return to obtain fertilizer and other goods in their areas. Unless there is a coherent and responsible transport plan for the metropolitan area, this city will choke with its own problems.

Victoria needs a Government which will examine the transport problems of the State responsibly, rationally and in a coherent manner that will provide a plan for the people of Victoria and for the people of Melbourne, avoid the pitfalls that could befall it, and so produce a system which will lead this State into the 1980s with confidence and safety. This Bill does

Mr. Crabb.

not provide that; it is a cheap avoidance of responsibility. The Government ought to accept its responsibility to provide the co-ordination and planning of which I have spoken. Instead, the Bill merely gives the Minister and his few part-time advisers the capacity to direct the Country Roads Board on specific matters. It is not enough. However, the Opposition does not oppose the Bill.

**Mr. B. J. EVANS** (Gippsland East): The comments of the honorable member for Knox are an excellent example of how two people looking at the same set of facts can come to two entirely different conclusions. I should have thought that the principal object of the Bill—the conferring upon the Minister of greater powers of direction over the Country Roads Board—would have been endorsed wholeheartedly by the Opposition.

I agree that the Minister ought to have greater responsibility in that direction. It is time that the people of Victoria gave to the Minister the responsibility for the direction of the manner in which funds made available to the Country Roads Board are spent.

The matter need not be looked at more broadly than that, because the basic question in everybody's mind is how the Country Roads Board will spend its money. That is the principal objective of having control or direction in Ministerial hands. Hopefully, the people in this State will also make sure that in future the responsibility for the policies of the Country Roads Board are laid fairly and squarely in the lap of the particular Government of the day. In the past, Governments have been intent on absolving themselves from any responsibility about the direction in which the Country Roads Board spends its funds, more or less indicating that the board is free of political interference and that it examines proposals for road developments throughout Victoria and allocates its

funds in accordance with priorities established by traffic counts, public demand and so on.

Indeed, it is many years since the Country Roads Board has invoked one of the most important powers which were initially conferred on it, which was placing some emphasis on roads for development purposes. In its early history, the board was established largely to provide arterial road links between various areas which came under the jurisdiction of the roads boards, the forerunners to local shire councils. The roads constructed by roads boards were basically to serve the needs of relatively small community areas. The Governments of those days could see, in the absence of an over-all authority, that no particular body would be interested in constructing the highways and the roads that were linking the various areas of development throughout the State. The basic function for which the Country Roads Board was initially established was to construct long distance highways and link roads between the various areas of the State.

As development came, the Country Roads Board expanded its interest into funding municipalities for various types of roads and it took over the responsibility for roads other than highways that were not of particular concern to local communities, such as forest roads and tourist roads.

Mr. MACLELLAN: And main roads.

Mr. B. J. EVANS: Main roads also, but more particularly forest and tourist roads which had limited usage by local communities but which were used extensively by traffic from outside those municipalities.

As the years went by, with the growth in the funding for roads, the Country Roads Board had a growing influence on the method by which roads throughout the State were developed. Over the past ten years, in particular, there has been a tremendous expansion in the proportion of funds which have been allocated to roads in the metropolitan area. There

has been a massive growth in the provision of extremely expensive free-ways, which are always held out as a carrot to the motoring community as solving the problems of congestion in the metropolitan area. Of course, they have not. They have simply transferred congestion from one point to another. It has been demonstrated in cities around the world that it is simply not possible to solve traffic congestion by constructing more free-ways. The net effect is to encourage more people to use private cars and probably to discourage them from sharing vehicles, because it becomes easier to move around the city area. Freeways create other complications, such as pollution, parking and so on. Therefore, the vast amounts of money that have been expended on free-ways, particularly over the past ten or twelve years, have done nothing to solve the traffic chaos that exists in Melbourne.

I do not share the view of the honorable member for Knox about the possible future and the effect of increasing fuel costs or, indeed, the actual shortage of fuel supplies. The shortage will not be as sudden as has been predicted because increasing costs of fuel will slow down consumer usage of fuel. The effect will be far greater on the metropolitan area than on country communities. It will lead to a reversal of the Government's policy, that has been so evident over the past twenty years, of centralizing everything in the metropolitan area, and it will bring about the need for decentralization in its fullest sense because country communities will need to become more self-sufficient.

Mr. CRABB: That needs planning.

Mr. B. J. EVANS: It may need some planning, but the major reason that country communities have declined and people have been forced to move from country areas where they prefer to live, and are obliged to live in the metropolitan area, is the massive expenditure of money on roads in the metropolitan area which makes it easier for people to commute in the metropolitan area and which provides jobs in construction

of roads, and so on. This has been a material reason why people have concentrated in the metropolitan area.

Sometimes we hear the cries of colleagues of honorable members in the Opposition that the user should pay for services provided by the Government. This principle seems always to apply to services that cost people in the country more, and it is not applied to the cost of providing freeways, an underground railway and the like. Members of the Opposition are inconsistent when they shed crocodile tears about the need for planning for the development of country areas when at the same time they load those same country people with the costs of developing the underground rail system, for instance. It shows how false and shortsighted is their thinking.

The cost of providing freeways, which apparently people in the metropolitan area want so that they can get from one point to another in the shortest possible time, should be the responsibility of those people who want them. Similarly, if 25 per cent of the people in the metropolitan area want to crowd the country highways during the Christmas period in order to go on their annual holidays, they should bear their share of the cost of providing those roads.

It is not the country people who congest the country highways; there are not enough of them. If all country people travelled at the same time on the country highways they regularly use, they would still not congest those highways. The people from the metropolitan area travelling at a specific time of the year cause congestion.

I drive 170 miles from my home to Melbourne almost weekly and I have very little problem with congestion on the Princes Highway. For my needs, the Princes Highway is quite adequate and I can drive to Melbourne in three-and-a-quarter hours. One can work that out in relation to the speed limits which apply and realize that little time is lost in driving on that road during normal

off-peak periods. I certainly make it my business to keep off that road at week-ends. One needs only to look at the road statistics to see when all the mugs are on the roads—the week-ends.

Mr. CRABB: Do you think money should be spent on the Princes Highway East?

Mr. B. J. EVANS: I am saying that the money spent on Princes Highway East is a liability on the people of the metropolitan area because they are the people who congest it. No doubt a similar situation applies to other country highways.

Mr. CRABB: What about at Morwell and so on?

Mr. B. J. EVANS: I am talking of the Princes Highway East because that is a road on which I travel and which I know. Now that the Government has indicated its intention of conferring upon the Minister more direct responsibility, I am sure that members of the Liberal Party will go out to their constituents in future and say that the Country Roads Board should not receive the blame and that it is the Government's responsibility entirely, because when this legislation goes through, the Minister of Transport will have the power to direct the Country Roads Board in the way in which it will distribute the funds it has available.

Mr. JASPER: We will have to rely on the Federal Minister for Transport to help us.

Mr. B. J. EVANS: That is true, and of course the Federal Minister for Transport, my colleague representing Gippsland, has had to come to the rescue of rural areas on several occasions over the past few years because the State Minister of Transport has been intent on trying to divert funds which the Federal Minister—

Mr. CRABB: Which one? Is it the Minister or the Country Roads Board?

Mr. B. J. Evans.

Mr. B. J. EVANS: The Minister has made it clear that he has endeavoured to have funds directed to a different category of expenditure from that which was determined by the Federal Government.

Mr. CRABB: Why then do you want to give them more power?

**The SPEAKER (Sir Kenneth Wheeler):** I suggest that the honorable member ignore the interjections and keep to the Bill.

Mr. B. J. EVANS: That particular question is relevant to the principal purposes of this legislation. Why do we agree to give more power to the Minister under this legislation? The reason is that it is high time the public of this State realized the importance of the role of the Minister of Transport in determining where road funds should be expended. In the past, expenditure on any portion that has been subject to Ministerial control, has largely been that of the special projects fund. I will refer to questions asked of the Minister of Transport by a member in another place, the Honorable S. R. McDonald, to which he received a reply dated 9th November, 1977. The first question was—

Who is responsible for deciding the priorities for particular road projects in Victoria?

The Minister's reply was—

The Treasurer is responsible for deciding which projects are approved on the Roads (Special Projects) programme. The Country Roads Board, under my general direction, is responsible for deciding the annual programme of projects financed by other sources of funds, including Commonwealth grants for roads.

The second question was—

Who is responsible for deciding which projects will be funded from State or Federal sources?

The reply was—

The way in which a particular project is funded may vary from year to year depending on the constraints and limitations on the several funds to which the Country Roads Board has access. This is a Country Roads Board budgeting function subject to the Treasurer's approval regarding the Roads (Special Project) Fund.

It can be seen from those replies that the then Minister of Transport was not anxious to claim any direct responsibility—if he did claim responsibility, it was limited—for this diversion of funds which has taken place over the past ten to twelve years from rural areas to the metropolitan area.

This is an appropriate occasion on which to raise an issue which has been under some active consideration for several years, and to illustrate the inability of rural municipalities to obtain a clear decision from the Government on who is responsible for making decisions about expenditure of road funds.

I direct attention to the proposed low-level deviation of the Omeo Highway. The proponents of this proposal, who represent many organizations and municipalities in East Gippsland, the north-east of Victoria and southern New South Wales and who are anxious that the project should develop to provide better access for the Albury-Wodonga area in particular, the general north-east of Victoria and the southern area of New South Wales to the attractive coastal reserves in East Gippsland, have found that the matter has been "duck-shoved" by the Premier and Treasurer, the Country Roads Board and just about every other organization that it is possible to drum up to investigate the project. It has been investigated by the Soil Conservation Authority, the Land Conservation Council, the Country Roads Board and one or two others, all of which have been putting in a spoke as to what they believe should be done. The only organization that seems to be opposed to the proposal is the Country Roads Board.

The Premier and Treasurer has indicated that the road will be built if it can be shown that a viable route is available. Much investigation and work have gone into surveying this fairly wild, rugged and remote country to find an alternative. That alternative has been found, and

yet the people involved cannot obtain a decision from the Government on whether the low-level alternative will be built.

So the saga continues and the cost of putting the case forward and in proving the arguments beyond all doubt seems to be placing too great a burden on the people involved. It is high time the Government made a decision on this matter. Perhaps, with the passing of this Bill, the Minister will be able to say to the Country Roads Board, "All things considered, the Government agrees that there should be a low-level deviation", and will instruct the Country Roads Board to go ahead and construct the road. An action like that would be welcomed by many people within the areas that I have mentioned, and I am sure it would be an appropriate way for the Minister to exercise the new authority that the Bill confers upon him.

The Bill makes a number of other relatively minor amendments to the principal Act. It provides for the designation as highways of forest roads and tourist roads. I am awaiting a reply from the Minister in relation to moneys spent on these various categories of roads so that a continuing comparison may be made in relation to the distribution of Country Roads Board expenditure over the years. If any honorable member is interested, I refer him to an issue of *Hansard* of 10th April, 1975, at page 2846, where there is an illustration of the trend that has taken place in the allocation of Country Roads Board funds to municipalities and how the proportion of expenditure on roads that municipalities have to find is increasing, while that which is provided by the Country Roads Board through municipalities is declining.

The other provisions are relatively minor and I do not propose to elaborate on them. The National Party supports the Bill, and sincerely hopes it has the effect of sheeting home fairly and squarely to the

people of Victoria precisely where responsibility lies for the trend that has taken place in road fund expenditure in recent years which has proved disastrous for people living in country areas of Victoria.

**Mr. GINIFER** (Keilor): I welcome the opportunity of speaking in this debate in the same way that some time ago I welcomed the opportunity of speaking when greater power over the board was given to the Minister under whose administration the Melbourne and Metropolitan Board of Works falls. I appreciate that as a result of this Bill the Minister of Transport will have greater control and authority over the activities of the Country Roads Board.

I will cite two or three examples of occasions in the past when the actions of the Country Roads Board have had a detrimental effect on citizens within the electorate that I represent. A proposal was put forward by the Country Roads Board for a freeway to be built from Deer Park through the State Electricity Commission power easements and through a swathe of houses in St. Albans, to somewhere near the Calder Freeway. I do not believe the Country Roads Board has taken this matter seriously. Its proposal appears to be nothing more than a series of lines drawn on maps, but it has had a detrimental and depressing effect on housing development and on home owners in St. Albans.

Real estate agents are unhappy, as are solicitors, because many of their clients are now unable to sell their homes because of the freeway proposal. The Country Roads Board cannot give an undertaking on the matter, and these fears are rife in the community. As a result of the publicity that was given to this matter, people who genuinely wish to sell their homes and move to other suburbs, and elderly people who wish to move to smaller homes or units which they could more easily maintain, are finding that their homes are unsaleable. I hope that the additional responsibility that the Minister

has suggested this Bill will confer upon him will enable the position to be clarified.

I draw attention to a matter which I raised in this House in April or May of this year. Unfortunately the Minister was unable to act or, if he could act, he has not done so. Andrew and Aldona Kalkbrenner had their house up for sale by auction. When the public learned that the property was in proximity to a proposed freeway—which was only a line on a map—no bid was made for the house. No one was prepared to make an offer for the property, and the people were caught. The house was multi-listed but, still, no sale was effected. This couple wishes to dispose of the home. I drew the matter to the attention of the House and asked the Minister to act, but nothing happened.

I hope that now, with the additional control that the Minister will have, the honorable gentleman will be able to look at cases such as this and sheet home to the Country Roads Board that it has a responsibility to people affected by these proposals. I trust that in the near future, if, in a public relations exercise, the board tells the people that a freeway will be constructed through a suburb, it will accept responsibility for the damage that is done to people's equity in houses and will come to some arrangement when the value of properties is depressed. I believe the Government and all members support the proposition that people should be able to purchase their own homes and dispose of them without fear of damage to the value of their properties in this way.

The honorable member for Werribee will be aware of problems occurring in relation to this proposal. People who live in close proximity to the lines on a map in Station Road, Deer Park, in an area which I represented prior to the redistribution, are in a similar situation. They cannot realize on their properties in order to move elsewhere and they are bound because of a development that the

Country Roads Board says may or may not occur. I hope the Minister will give his attention to these people and ensure that the Country Roads Board makes clear-cut decisions regarding its future plans. The Country Roads Board should say, "We do not have a proposal for this," or "We have a proposal for it, but the properties of people concerned will be suitably assessed and full realization of those properties will be made so that the people may move if they desire."

I make a plea regarding Ministerial authority as envisaged in this Bill. The former Minister of Transport gave an undertaking, in relation to the Calder Rise bypass road which is being constructed to bypass the township of Keilor, that funds would be available in accordance with the time-table. Associated with his bypass road is a road that is being constructed from Keilor to St. Albans which will cross a deep and precipitous valley. One section of it has been constructed as a four-lane main divided roadway, but no provision other than flags and the "lollypop" people is available to enable children to cross the roadway from the Calder Rise suburb to the Calder Rise Primary School. Severe criticism has already been made of this oversight and problems have arisen because, as is sometimes the case before a school holiday period, schools often close half or three-quarters of an hour early, and people who normally do road crossing duty are not present. Some near fatalities have already occurred at the school crossing.

I ask the Minister to instruct the Country Roads Board to investigate the problem with a view, in the ultimate, to having a pedestrian overpass built from the suburban subdivision to the school area. Failing that, I hope there will be closer supervision of the need for the Country Roads Board to remedy what is a dangerous situation at the school, although the road has been of great service to the people in St. Albans.

Finally, I hope the Minister, through his administration of the proposed Act, will do something about an old bridge in Arundel Road, Keilor, over the Maribyrnong River. The bridge was condemned some time ago and the school bus which crossed it was not allowed to do so until some substantial bridgeworks were undertaken. Those works, costing \$20,000, were completed some months ago, but for some reason the bridge has not been opened. I presume the Country Roads Board must be satisfied that the bridge works were satisfactorily done, but a certificate has not been given to the Keilor City Council, or the Keilor City Council, in conjunction with the Country Roads Board, has not done whatever paper work is required to allow the school bus to cross the bridge.

I hope the Minister will be able to raise this matter with the Country Roads Board and with the engineer of the City of Keilor. This bus caters for 20 children who must now walk a considerable distance to the bridge so that they can travel on the bus to school.

I applaud the proposed legislation if it means that the Minister will have more direct control over the activities and administration of the Country Roads Board. I applaud it in the same fashion that I applauded the amendments to the Melbourne and Metropolitan Board of Works Act providing that there would be closer Ministerial responsibility and the Minister could be questioned in the Legislative Assembly, if need be, and be made responsible for his actions.

**Mr. CAIN (Bundoora):** The remarks made by the last speaker, the honorable member for Keilor, touched on the crucial aspects of this Bill. I wish to make a few comments and generally support the remarks of the honorable member for Knox. Clause 3 is the most important provision. It raises a crucial issue which has effect with respect to other Acts. The honorable member for Keilor said that what we are talking about

is Ministerial control. Section 4A of the Country Roads Act, which clause 3 sets out to amend, states—

Subject to the general direction and control of the Minister, the Board shall administer this Act and exercise the rights powers and authorities and discharge the duties conferred or imposed on it by this or any other Act.

I am surprised that there should be any need for an amendment to section 4A, as contained in the Bill. The amendment proposes, in section 4A of the principal Act, after the word "Minister", to insert the words "and any specific directions given by him in relation to a matter or class of matters specified in the directions". It is intended to make it clear that the Minister is the boss, not only in relation to general directions but with respect to specific directions. Perhaps the definition of the words "specific directions" will conjure up all sorts of things at the Country Roads Board. I infer from what has been said and what is being said that the Country Roads Board stands up to the Minister and goes its own way if it chooses. That is the only conclusion one can reach.

In his second-reading speech the Minister spoke about strengthening Ministerial control. I am surprised that he should have had to make such a plea, if it is a plea, and that he does not already have control over the Country Roads Board. The Minister should have mentioned the ways in which the Country Roads Board is defying him or refusing to be controlled by him. I take the old fashioned view that the Minister is the boss of the Country Roads Board and, irrespective of whether he gives a general or specific direction, it should be acted upon. The Opposition supports that proposition. The Minister may be opening up Pandora's Box for himself because the Country Roads Board could argue about what is and what is not specific.

As the honorable member for Knox said, it is about time the Government woke up to its responsibilities to control transport *in toto* and not worry

about the meaning of words. It is interesting to note from an examination of the Melbourne and Metropolitan Tramways Act that the board's powers or relationship *vis-à-vis* the Minister are contained in section 5, which states—

In the exercise of the powers functions authorities and duties conferred upon it by or under this or any other Act the Board shall be subject to the direction and control of the Minister.

I suppose one could think that meant that the Minister of Transport or the responsible Minister was responsible for the Tramways Board. I now have some doubts about that being so. Those words may be said to be equally as strong as the words in both the present Country Roads Act and in the Act as it is to be amended.

When one turns to sections 4A and 4B of the Melbourne and Metropolitan Board of Works Act one finds a different provision whereby the Minister appears to have wide powers to direct the board which is, or was when the provision was framed, a body constituted differently from either the Country Roads Board or the Tramways Board.

What I am concerned about is that it seems to me that what has happened is that the Country Roads Board is relying on a semantic exercise about the meaning of the word "general" and is saying that it will make its own decisions on directions that can be defined as other than general. The Minister should tell honorable members—it was an omission that he did not tell us in his second-reading speech—in what area the Country Roads Board is refusing to accept his directions. We are entitled to know if the Country Roads Board or any other public authority decides to go its own way because of some interpretation of words appearing in a statute. Parliament should know and should take remedial action to make it clear who is the boss.

If the Government takes a contrary view and wishes to shelter behind the independent or statutory functions of such bodies, it should say so.

The Government, which is responsible for those bodies and is answerable to Parliament, should not permit any error about the meaning of words.

The Opposition believes that the absence of some explanation from the Minister with respect to which areas the Country Roads Board has not accepted directions is evidence of a single-purpose authority defying the Government. It is evidence of what the Opposition has asserted in Parliament, and in other places, namely, that the real decision maker with respect to transport is not the Ministry of Transport or the Minister but single-purpose authorities which go their own ways. The Country Roads Board is a road construction authority and that is all. From time to time one would think it was a planning authority for the Melbourne and metropolitan area. It is not. The job of the Country Roads Board is to build roads where it is told to build them.

I reject any proposition which says that the board has any discretion or authority to determine other than those functions and those powers concerned with building roads. The Country Roads Board is the servant of the Government and has to be seen by this Parliament as being the servant of the Government. I acknowledge, and I think the Minister will acknowledge, that the extra power sought by the Government will assist the Minister, but that power is only as good as the Minister. If in future, the present Minister or any other Minister, allows the Country Roads Board or any other body to tell him what to do or by act or omission to defy what it is directed to do, it will be on the Minister's head. I am surprised that there is a need for the proposed legislation. It results from what I regard as weak and indecisive leadership from the Minister in the past. That is to be regretted.

Time and time again the Country Roads Board has demonstrated that it is concerned to pursue a course of building an empire and that it regards that as its primary purpose.

If other bodies are behaving in the same way, despite the diverse Acts which control them, Parliament should know about them.

This debate has demonstrated the stark difference in attitude between the Government and the Opposition on transport planning. The Government's proposed remedy, if it is a remedy, is only a band-aid job. If Parliament is concerned about transport and transport planning generally it ought to pay heed to the words of the honorable member for Knox. As long as we go on with single-purpose authorities pursuing their own ends without regard to other single-purpose authorities we will continue to have the transport mess that now exists. It is the transport mess we deserve. The people of Victoria do not deserve it, but they have had to put up with it in recent years.

As the honorable member for Knox said, the only answer is an umbrella body which will have power to co-ordinate both private and public transport and which could determine priorities with respect to development and Budget allocation. The Bill will not achieve that end. It may put out a few what are colloquially called brush-fires in certain areas and may strengthen the Minister's hand but a single-purpose authority that is determined to go its own way and has a tradition in this State of doing so will continue to ride high unless strong Government action is taken.

I shall cite one instance in the transport field to indicate how this course which we continue to pursue affects the State. The Balmoral rail line which has been the subject of many debates in Parliament is a classic case of a decision made by VicRail, a single-purpose authority, based on its own economic considerations without regard to the cost to the community of some other form of transport, whatever it may be—private cars which require roads, buses or something else—to take its

*Mr. Cain.*

place. Here is an example of a critical decision made by a single-purpose authority, VicRail, which was consistent with its own economic decisions and its own purpose of supplying rail services to the people of Victoria. No doubt it has been repeated time and time again throughout the State. That is what happens when authorities go their own way and do their own thing as it suits them. As long as the Government allows that to continue Victoria will get a poor dividend from the transport dollars it spends. This Bill is a band-aid remedy which the Opposition supports as a band-aid measure and nothing more.

**Mr. SIMMONDS** (Reservoir): I support the remarks made with respect to the proposition that clause 3 provides for Ministerial control. It is important that the Country Roads Board should accept some degree of Ministerial control. After listening to the Minister's second-reading speech I could not help but think that perhaps it was written for the predecessor of the Minister of Transport. I hope Ministerial control will be enforced better than it was in the past, particularly with respect to the Minister of Transport and his control over not only the Country Roads Board but the Melbourne and Metropolitan Tramways Board and VicRail.

The Railways Act provides for a specific instance of Ministerial control. I could cite a number of instances in my electorate of failure to accept responsibility in this area, and the proposition that the Country Roads Board is not only a construction authority but a planning authority is causing a lot of hardship and concern in an area which is flanked on one side by the Freeway F2 reservation, namely, the Lockton Avenue estate where 250 houses have already been built. The residents are virtually trapped. They cannot get out of the estate unless they go on to Mahoneys Road—a 6-lane highway. The site where the Education Department plans to build a school to service the residents of the estate is

directly opposite the Freeway F2 reservation. The local council, in consultation with the Country Roads Board, was able to provide a temporary bicycle track to allow children and residents to get out of this estate rather than have to go on to Mahoneys Road, a major road. Recently there was a conference between the Country Roads Board, the Preston City Council and local residents with a view to providing an access road out of this estate across what is called the Freeway F2 reservation. I was extremely alarmed because the Country Roads Board, which acknowledged that the construction of the F2 Freeway might be ten years off, opposed the proposition the council was putting to provide a temporary access road at a total cost to the council because it would generate amongst the local residents an expectation of a permanent crossing over of the Freeway F2, if it was ultimately built.

Those decisions ought not to be left to the Country Roads Board. They affect not only the people who utilize the roads and the road constructing authority, but have a social concept upon which Ministerial responsibility ought to be brought to bear, in order to come to a proper judgment on the total needs of the community rather than have a narrow selective judgment made by a constructing authority whose power ought to be restricted to constructing roads which are determined according to plans prepared on a community basis.

It may also be of some benefit to solve the grade separation problem at a Reservoir intersection. There has already been Ministerial approval for grade separation projects in respect of the railway line, and the High Street and Broadway intersection. This should also be supported by a Government allocation of funds. The latest information available to me is that this is some ten years off. I hope that on the enactment of the Bill, the problem I referred to might be solved much earlier than that.

I simply add that the generation of traffic north of Reservoir through the Mill Park estate is fast creating a situation through Keon Park and Mahoneys Road and the railway intersection where the same problem, which is already evident at the Reservoir-Broadway intersection, has already reached a dimension which needs the attention of the Government. I hope the passage of this Bill will see some of these problems dealt with not only in my electorate but also on a broader basis throughout the community.

**Mr. KIRKWOOD** (Preston): On examination of this Bill, and from the comments that have been made, it is obvious that the amendment which allows the Country Roads Board to administer the Act subject to the general direction and control of the Minister will cause most people to ask why this is necessary, because it could be argued that the Minister of Transport already has the power to run the day-to-day operations of the Country Roads Board. This may be effective if the Ministry of Transport was a department of credibility, but it does not have this credibility. It has been common knowledge for quite a while that the deputy director, who is an engineer, is at loggerheads with the Country Roads Board. The Minister should be prepared to play a co-ordinating role, but I hope he never tries to play what might be called a dictatorial role, because the dangers are obvious. In this particular case I hope the Minister will not reach that state of affairs.

In the second-reading notes, the Minister stated—

Transport is a complex industry with many facets. The objective of the Ministry of Transport is to make the best use of transport resources.

One wonders again if those words relate to a figment of the imagination.

It is common knowledge that when the Preston tramway inquiry was held, other transport agencies were stifled from giving evidence to that inquiry which was different from that

of the Ministry of Transport. One would not have to search very far to find this type of thing coming out. Again, in his second-reading notes, the Minister stated that unless the Transport Regulation Board has this authority and it is related to the franchised area, residents will find there is nothing going their way.

I shall take a short time to explain. In March, 1977, the Transport Regulation Board invited the Preston City Council to comment on an application by L. C. Dysons Bus Services Pty. Ltd., to operate a bus service between Mill Park, Bundoora and the Regent railway station and Northland shopping centre. The proposed route for the service in this municipality was via Plenty Road, High Street, Station Street to Regent railway station, and on certain trips, Plenty Road, Tyler Street, Albert Street, Wood Street, Hannah Street to Northland shopping centre.

The council objected to the proposed route and asked that the service not use Tyler Street. The alternative suggested was to provide a bus service from the Plenty Road area to Reservoir railway station via Dunne Street and Broadway. This is a shorter route.

A reply was received from the Country Roads Board which stated in part that it did not disagree with the concept of providing a service as suggested by the council, but that it would bring L. S. Dysons Bus Services Pty. Ltd. into conflict with services provided by Reservoir Bus Company, and that the proposal could not be achieved without a major reorganization of both operators' services.

The board subsequently approved the original application on a temporary basis. I think every person in that area would be concerned that, with residential areas abutting the northern boundary rapidly developing, the situation of a bus proprietor having exclusive rights over a geographical area is ludicrous. I imagine the Minister would have to take steps to try

to rationalize, or better still, abolish area franchise, because once that is done we might be able to get a system of transport where the best use of transport resources is made.

Most people who have contact with the Country Roads Board would readily agree that the morale of its officers is low. I believe the Minister and most honorable members would not like to see the same thing happen as has happened with the staff of Vic-Rail. That must not be allowed, and one does not have to go too far to find the basic truth behind that remark.

There is no doubt that in country areas the Country Roads Board is doing an excellent job, but in the metropolitan area there is conflict. Because of the words that are added in clause 3, one has to look at the feedback that we, as Parliamentarians, receive. Could it be that because of the Minister's involvement we would no longer receive that which we have been able to obtain in the past? Perhaps we are creating a monster. I hope not. I hope the co-ordinating role which the Minister intends to play, as outlined in his second-reading speech, is put into effect. There is no doubt that one of the main areas in the transport system under the control of the Minister of Transport is the franchise of business, and he should ensure that this is abolished as soon as possible.

**Mr. HANN (Rodney):** This is a fairly significant Bill. It will bring about a change of jurisdiction of the Minister, and his control over the Country Roads Board. If one looks at the history of the Country Roads Board one finds that it has a high reputation throughout country areas for its standard of work, its involvement and dedication to the needs of road building and bridge building, particularly in conjunction with municipalities. Until recent years, the Country Roads Board has continued with a road-building campaign that has kept pace with inflation and has gradually

improved the roads for people in country areas. However, in recent years this has not occurred, and it is not necessarily the board's fault. That is why it is significant that this point should be raised, particularly as greater jurisdiction is now being given to the Minister over the operations of the Country Roads Board. However, there has been a significant decrease in the percentage, particularly of State Government funds, being applied to road works.

I have figures compiled by the Honorable Stuart McDonald from another place, which I will give to the House. In 1967-68, State funds allocated to the Country Roads Board amounted to \$749.7 million. The road fund allocation was \$47.1 million, which represented approximately 6.3 per cent. In 1976-77 State funds totalled \$2,901 million approximately, and the sum for roads, was brought back to about \$104 million or approximately 3.6 per cent. There has been virtually a halving of the percentage of funding made available for road funds by the State Government. This is having an impact on most municipalities.

I have drawn attention particularly to some municipalities in the area I represent which have specific problems. It is significant that the Minister has agreed to visit these municipalities in the near future to view the situation first hand. These municipalities are grateful and pleased that the Minister plans to make those visits. I refer in particular to the Shire of Gordon. It is a municipality which has a flood plain. It is a flat municipality and real difficulties are experienced because of the large number of streams that cross the municipality. There is an extensive network of roads in this shire, and the flood plain has an effect upon the road structure. The reality is that in recent years this municipality believes its funding is much less than is required. Some comprehensive tables have been prepared and submitted to both the Country Roads

Board and the Minister, and they will be discussed further with him when he makes a visit to the shire.

*The sitting was suspended at 6.15 p.m. until 8.4 p.m.*

Mr. HANN: Before the suspension of the sitting I was pointing out to the House that the allocation of State Government funds for road works in Victoria has virtually been halved since the year 1967-68. I stated that the percentage of State funds has been reduced from 6.7 per cent or 6.8 per cent to about 3.7 per cent in that time, and that this was having an adverse effect on the ability of many municipalities to maintain all-weather roads. I am not referring to bitumen or sealed roads. In some municipalities such as the Shire of Gordon—this is a classic example—it is difficult to provide gravel all-weather roads for the ratepayers.

In a submission by the Shire of Gordon to the Country Roads Board in June, 1978, the shire engineer pointed out that the funds available for main roads for the year 1978-79 totalled \$170,500, and that he estimated the amount required to be at least \$360,000. That is an amount of \$189,500, or 111 per cent more than was allocated.

The submission also notes that the shire contains 1,076 kilometres of unclassified roads. The shire engineer assesses that the amount available for road works this year was \$513,000, compared with an estimated requirement of \$851,000. In other words, there will be a shortfall of \$338,000, or only 60 per cent of the amount required, just to enable the municipality to maintain the roads at the standard that has been taken for granted in recent years.

People in the Shire of Gordon are having difficulty getting to and from their properties. I shall read extracts from a letter written to the Premier by the Shire of Gordon Ratepayers

Association earlier this year. The letter refers to the deputation to the Premier last year, and points out that—

... the CRB when allocating road funds takes into consideration particular climatic and topographical features of municipalities and supposedly adjusts the grants accordingly. If this is the case I feel the CRB has been extremely remiss and shown a complete disregard for the flood prone areas within the Shire of Gordon, namely the Loddon Valley Flood Plain.

The association is aware of the grants issued to the shire for 1978-79 in the form of allocation to main roads which was an increase of \$13,000 or 8.25 per cent which was approximately the standard increase throughout the division.

The increase on unclassified roads was 19 per cent or \$45,293 which the association regards as extremely welcome. However, when \$35,120 of that grant has been allocated for the completion of four bridges in the region it leaves only \$10,000 increase for the urgent upgrading of all other classified roads within the shire.

A conservative estimate to resheet unclassified roads is approximately \$5,000 per km and assuming this to be the case your Government has seen fit to gravel approximately 2 km of pavement.

Some of the highlights of this problem are pointed out in letters received from ratepayers during the recent wet periods. There are examples of many ratepayers within the shire who have endured conditions over the past six months in which the roads have become virtually impassable. People had difficulty getting to work, and in some cases parents had to keep their children home from school because the roads were impassable. The drivers of mail delivery vans refused to travel along many of these roads. I shall read one of these letters; the first, from one John King, a ratepayer of the Shire of Gordon, is dated 7th June, 1978, and states—

I am writing to you to confirm my request per phone that you take the issue of our road problem up with the council today as a matter of urgency.

The section of road in question is impassable, even at this early stage of winter, with 6 inches of mud over its surface.

We could not get son Andrew out to the school bus yesterday and it must be pointed out that besides the Sinnott school boy, there are four other people who have to get out to work each day including a hospital nurse.

*Mr. Hann.*

This section of road is notoriously bad and has been by far one of the worst in the riding for many years. Grading does nothing to solve the problem, as last year three cars ended up in the side-cut.

I would ask that you get some immediate action by council before there is a serious accident.

I have a similar letter, which I shall not read, from Mrs. Jillian Challis, about the same problem. People in this area are finding it difficult to gain access to the main town, to their point of trade, to schools and to their places of work. It is not so bad for the farmer or other menfolk, but it is difficult for many farmers' wives to travel along these earth roads in extremely wet conditions.

Mr. EDMUNDS: Give them winter treads!

Mr. HANN: The honorable member for Ascot Vale would be a classical example of the type of person who would probably get bogged because it is very difficult to traverse these roads. The problem is the total lack of funds made available to the municipality.

Mr EDMUNDS: Country people are different, aren't they?

Mr HANN: It is not a question of country people being different; it is a matter of the difficulties imposed on country municipalities, which are trying to provide people with reasonable access to the mails and facilities for the produce that they must take out.

The Shire of Gordon has made comparisons of funds provided to municipalities by means of a graph. This shows that the grants to the Shire of Gordon are usually lower than those received by other municipalities. There are one or two exceptions, but generally the municipalities that receive lower allocations do not have the same sorts of problems as the Shire of Gordon.

Mr. GINIFER: Perhaps they would do better in a marginal electorate!

Mr. HANN: They could not do much better, because this is a 50-50 electorate and the representation is shared by myself and the honorable member for Swan Hill.

The comparison prepared by the Shire of Gordon shows that the shire contains an area of 802 square miles and has a population of 3,060 people. The Country Roads Board grant for the year 1978-79 was \$409,380, which amounts to \$510 for each square mile.

It shows that the Shire of Bet Bet, with an area of 358 square miles and a population of 1,717 people, received a Country Roads Board grant of \$235,810, which equals \$658 a square mile.

I certainly do not suggest that the grant to the Shire of Bet Bet should be reduced, but that draws attention to the anomalies that exist in road funding as they affect the Shire of Gordon. These are the propositions that will be put to the Minister when he visits the area. It seems that the Shire of Gordon is being left behind in Country Roads Board funding. No doubt this must happen to some municipalities; it would be difficult to strike an even balance across all of them.

The conclusions set out in the submission state that the annual amount needed for roads within the Shire of Gordon is \$528,300 more than the funds available. Of that sum the amount for main roads would be \$35,000, and that for unclassified roads would be \$493,300.

The capital need of the road system to provide a balanced development throughout the area is \$5.645 million, excluding maintenance works. This would provide a balanced system of sealed roads. Even without extending the sealed roads, the capital needs of the road system amount to \$3.995 million. Therefore, more funds are required urgently for road works because the present rate of funding is allowing a valuable national asset to deteriorate at an alarmingly rapid rate. The Shire of Gordon should be receiving a far greater share of the funds already available for road works.

This is fairly significant in view of the amendment in the Bill, through which the Minister will assume great-

er control. The honorable gentleman, presumably, will have responsibility for a greater exercise of powers over the allocation of funding to municipalities. As I have said, that is the whole purpose of some discussions that will take place presently. There is a real need for the Government to give serious consideration to the contribution being made towards road funds. This matter was the subject of a deputation to the Premier last November. Unfortunately, the Premier was not able to provide funding immediately as a result of the deputation. The matter is still under review and further submissions have been made to the Country Roads Board. Recently, a visit was made by the board as part of its six-yearly inspection. I hope generous consideration will be given to the needs of, particularly, the Shire of Gordon, as well as a number of other municipalities in the area that I represent which are suffering similar disabilities because of the lack of funding.

I shall deal briefly with problems that have occurred in the City of Echuca, where there is an urgent need for top priority to be given to the construction by the Country Roads Board of a new bridge over the River Murray. Only recently a truck crossing the bridge broke off one of the girders that hold the structure together at the top. The girder ended up in the river.

The bridge is long overdue for repair. At present it is being used by both road and rail traffic. That situation may have been acceptable 50 or 60 years ago, when the bridge was built, but it is not acceptable today.

In addition to that, an amount of approximately \$1 million is needed urgently for the duplication of Ogilvie Avenue, which is the section of the Murray Valley Highway that goes through the City of Echuca. The city was informed that there will be a four or five-year delay before sufficient funds can be made available. There are a number of smaller projects in the area that are also in need of urgent attention. They include lining

up intersections to make them safer and the installation of safety devices at crossings.

These matters will become more and more the responsibility of the Minister under the greater powers he is to assume under the proposed legislation. No doubt the honorable gentleman will examine these sort of problems.

I support the Bill. I am sure that the new Minister of Transport will give his responsibilities the same degree of dedicated attention that he has given his earlier portfolios. Hopefully there will be a more even distribution of funding, particularly to the municipalities that have peculiar needs when compared with others, because they are faced with a real problem in trying to provide what should be the right of everyone within the community, within reason. I am not suggesting, and neither are the councillors, that in the Shire of Gordon every road should be a sealed road, but it is suggested that every road should at least have some gravel so that people can travel from their properties after a light fall of rain. That is not the present situation. Officers of the Country Roads Board visited the area recently and they had to be taken over part of the area in 4-wheel drive vehicles. That situation should not be tolerated by the Government in 1978. I hope additional funds will be made available by the Government to the Country Roads Board so that some of these problems can be rectified.

**Mr. WILKES** (Leader of the Opposition): The Bill has nothing to do with the amount of Country Roads Board funds that are spent in country areas as against what is spent in metropolitan areas. According to the Minister, the Bill strengthens Ministerial control over the Country Roads Board. That is the purpose of the Bill. One is entitled to ask: Why is it necessary to strengthen Ministerial control over the Country Roads Board?

To gain an insight into the answer to that question, it is worth examining the history of what has occurred under the past four Ministers of Transport. If one goes back as far as 1969, when the Metropolitan Transportation Committee made certain recommendations—

**Mr. MACLELLAN:** Did the honorable member for Knox give you his speech?

**Mr. WILKES:** No, he did not.

**Mr. MACLELLAN:** He started off in 1969.

**Mr. WILKES:** It was a good year to start off with—it is like a good wine. In that year the Government had all the grandiose plans that could be conceived to solve Melbourne's transportation problems, but nothing eventuated. Let us examine some of the plans it had. This is what the Metropolitan Transportation Committee said in 1969—

The Transportation Committee, realizing the importance of improved roads in the over-all transport plan, has recommended the construction of 307 miles of freeways—

I should point out that freeways cost, conservatively, between \$4 million and \$5 million a mile to construct in the metropolitan area. Indeed, the costs can go up to \$8 million a mile.

..... 103 miles of new arterial roads and 189 miles of widened arterial roads.

**Mr. MACLELLAN:** But you do not want that, do you?

**Mr. WILKES:** The Opposition wants a proper transportation plan for Victoria, in particular for the metropolitan area. Members of the Opposition believe this can be achieved only through the establishment of a metropolitan transportation committee, or whatever one likes to call it. The planning for Melbourne's transport needs for the future ought not be left in the hands of either the Country Roads Board or the Minister.

In 1969 the then Minister of Transport, the Honorable Vernon Wilcox, said, amongst other things—and there is a whole page of what the honorable

gentleman had to say, with a lovely photograph of him, which is devoted to what was required at the time—

Although town planning occurs in many places, I believe that few cities, if any, have devoted as much money—

That, of course, is public money—

... as much money, time and effort to such a comprehensive transportation study as Melbourne. From this study comes the Melbourne Metropolitan Transportation Plan.

What has happened today? What has happened to this plan about which the Honorable Vernon Wilcox spoke on that occasion, and about which he said so much public money had been spent? Mr. Wilcox went on to make two other pertinent comments about what was happening in other countries and how the Government was following the United States of America in its planning and preparation for the establishment of free-ways that would solve all our traffic problems. Mr. Wilcox said—

People are what it is all about. People wish to move from place to place or they wish to have the goods which they use moved from place to place. But they are also subject to their environment. We must remember that cities like Melbourne exist because people live in them.

That was a very profound statement made by the then Minister of Transport.

Mr. MACLELLAN: It sounds like your policy speech.

Mr. WILKES: It happens to be your policy speech in 1969.

**The SPEAKER (Sir Kenneth Wheeler):** Order! The Leader of the Opposition should ignore the interjections.

Mr. WILKES: Yes, Mr. Speaker. I shall demonstrate how the Government has changed its attitudes, policies and ideas since 1969, in spite of having a sensible Minister at that time—as I am sure the Government would not deny. Mr. Wilcox continued—

In implementing the plan, the relationship between environment and the quality of individual lives must be considered—for example, great care will have to be taken to preserve those aspects of Melbourne which have character and distinction, such as our outstanding parks and gardens.

The Government did not worry a few years later about our outstanding parks and gardens, when the Country Roads Board went into Yarra Bend park. The Country Roads Board did that, presumably, without the sort of Ministerial control that is envisaged in the proposed legislation. It simply went into Yarra Bend park with its bulldozers and cut a swathe through the park. It was after that that Parliament had to approve of what the Country Roads Board was doing. The legislation was not introduced here before it was done. We are now talking about Ministerial responsibility and I am talking about the difference in Ministerial responsibility and guidance at that time compared with what the Bill proposes.

As I have said, in 1969 the transportation committee considered that it was necessary to construct 307 miles of freeway. By 28th March, 1973, there had been a change of attitude by the Government, because the Premier issued a statement on that date, which was headed "Melbourne Freeway Network", in which he said—

Melbourne's proposed freeway network will be substantially reduced, chiefly in the inner suburbs.

The Minister says "Hear, hear!"

Mr. MACLELLAN: You do not want to put one up the Merri Creek, do you?

Mr. WILKES: No, of course not, but the Government wanted to put one there. This Minister proposes to build a freeway to Bell Street and then leave it in limbo. No one knows what is going to happen after that, but we do know, on the admission of the Minister, that it will not continue down the Merri Creek to join up with the F19. The traffic will just be left to disperse along local roads, to the disadvantage of anyone who lives in the area. That is an admission from the Minister. There will not be a continuation of the freeway down Merri Creek through Northcote to the Northcote bridge and then on to meet up with Heidelberg Road.

Mr. HAYES: Would you like to see that?

Mr. WILKES: No, of course not. The Opposition thinks the Government's freeway planning is absurd, and it will prove that it is absurd. The Premier went on to say—

Last December the Government issued a policy directive which indicated that freeways would not be built in inner areas where there construction would involve substantial loss of established housing and community disruption.

That is what the Premier said. Once again the Minister says, "Hear, hear!" The Government's proposal for the Gardiner's Creek freeway does not agree with that. That is another direct conflict. I am pointing out irregularities in the decisions on planning for freeway development and the improvement of traffic flow in Melbourne and surrounding areas. The Premier continued—

Inevitably, this would involve a reduction in the freedom of movement originally aimed at.

It is very interesting to see the way in which the Government's policy has changed as time has gone on. That statement was made in 1973. These matters illustrate the difference in the exercise of Ministerial responsibility and the way in which the Country Roads Board has acted in isolation, away from the Government and the responsible Minister. This is obvious from the changes in Government policy on freeways. On 7th April, 1976, the *Herald* published an article bearing the headline, "Battle Lines—It's Go on Freeways, Says C.R.B." It was not the Government, it was the Country Roads Board that said that.

Down at the Country Roads Board offices in Kew they have a map of metropolitan Melbourne with lines radiating out from the city like thin black snakes.

That is what the Country Roads Board said.

They are our freeways, the bitumen battleground of environmentalists and action groups and the saviour of the peak-hour motorists.

There are dotted "snakes"—future freeways where the bite is still to come.

Let us consider what was planned, in spite of what the Premier said in 1973, and in spite of the recommendation made in 1969 by the Metropolitan Transportation Committee. We are up to 1976. This is what was planned and why—

**OUTER RING ROAD:** This would provide an outer link between major centres of population and commerce including Dandenong, Ringwood, Greensborough, Broadmeadows and Keilor.

That has never been denied so I assume that is the view of the Country Roads Board. If the board wanted to deny what was written in the *Herald* on that occasion it could have done so and it could have been supported by the Government.

A study is now being carried out into the effects and advantages of such a road.

That is the ring road.

**THE LOWER YARRA CROSSING—F9 EXTENSION:** This will become the southern by-pass of the city centre of National Route 1.

It will lead from the Lower Yarra Crossing to Kingsway, providing the final link between Geelong and the south-eastern suburbs.

Mr. CATHIE: It will have to go through the Domain.

Mr. WILKES: Of course it will. There was a plan for it to go through the Domain. That plan was circulated by the Melbourne and Metropolitan Board of Works. There was to be a tunnel under the Domain. That has now been denied by the Government—the Government has no intention of doing that, but when one takes that denial in the context of the other stops and goes one can be expected to be sceptical.

**MULGRAVE FREEWAY:** The work now in progress from Springvale Road to Forster Road, Mt. Waverley will cost about \$40 million.

Mr. MACLELLAN: It is finished and is working very well.

Mr. WILKES: Of course it is finished.

Extension to Warrigal Road will improve the freeway's effectiveness and studies are under way on a possible road connection to the South-Eastern Freeway at Tooronga.

How is that going?

Mr. MACLELLAN: That is C3.

Mr. WILKES: Of course, we know the controversy that has caused.

**EASTERN FREEWAY:** The extension of the Eastern Freeway along the eastern corridor reservation will improve access to the eastern suburbs and reduce traffic on residential streets.

**GREENSBOROUGH:** North from Watsonia, this will provide a by-pass of the Greensborough shopping centre and access to the residential areas around Diamond Creek.

**HUME HIGHWAY:** There is no solution yet for traffic from the metropolis, especially the eastern suburbs, feeding on to the Hume, the main interstate road link.

The Country Roads Board says at present this flow is creating environmental and traffic problems in the northern and inner suburbs.

That is all they said.

**CALDER FREEWAY:** This provides free movement for traffic headed towards Bendigo. The Keilor by-pass will remove this traffic from the commercial centre.

**TULLAMARINE FREEWAY:** Work at Essendon airport will complete the freeway link from Flemington Road to Tullamarine Airport.

That is what the Country Roads Board said in April, 1976, after we read in the *Herald* on 20th February that the Government had announced the cancellation of reservations for five proposed metropolitan freeways. The problem with freeway planning in Victoria over the past ten years is that the Government plans for freeways in accordance with its own policy and the Country Roads Board proceeds according to its policy and nobody knows what is happening. On 20th February the Government made another statement. After the Government said plans for five freeways would be cancelled, the Country Roads Board told us what those freeways would be. It is incredible, but it has taken this Government from 1969 until now to realize that the Minister should have some say over what the Country Roads Board is doing.

Mr. MACLELLAN: It has taken me only five weeks.

Mr. WILKES: I congratulate the new Minister of Transport on his appointment. He says it has only taken him five weeks to realize that he ought to exercise some control over the Country Roads Board. But while all this was happening there has been absolute chaos because the Country Roads Board, in accordance with Government policy—that cannot be escaped—has approved freeway construction in Melbourne.

I invite any honorable member to drive into Nicholson Street, Smith Street, St. George's Road or Wellington Parade.

Mr. MACLELLAN: Bourke Street.

Mr. WILKS: Never mind Bourke Street. The Government is subsidizing the Melbourne City Council, for a purpose best known to itself. We are talking about the obstruction of traffic which the Country Roads Board, according to this Bill and section 4A of the Act, should be responsible for. If one gets into Nicholson Street and wants to get on to the Eastern Freeway the traffic jam stretches from Alexandra Parade to Elgin Street or Johnston Street, whatever one likes to call it. Neither the Government nor the Country Roads Board made any attempt to provide for excess traffic. That is because there was no planning.

In the past, if the Country Roads Board gave the go ahead the Government acquiesced. The Minister says it has taken him five weeks to realize that was no good and the Government is getting down to business. But we have had the Eastern Freeway and the South-Eastern Freeway causing traffic problems in certain areas with no solution being provided by the Government. There has been no attempt to alleviate the problems which have existed. The solution is simple—change the Government. Apart from that, if we want immediate action, what is wrong with the Minister of Transport setting up a transportation commission to look into the problem on an over-all basis?

One cannot treat one problem in isolation. These problems must be treated as problems of the metropolis of Melbourne.

We read in the paper today that the Premier says the Greensborough-Diamond Creek outer ring road is to be scrapped. Honorable members say, "hear hear", but what about the money spent on the planning of the freeway up until now? Nobody talks about that. I want this miserable Government to stop wasting public money on planning freeways. Why plan freeways or allow the Country Roads Board to plan them? A moment ago the Minister asked me whether we wanted the freeway to extend from Bell Street down the Merri Creek valley to St. George's Road. Of course we do not. When the Country Roads Board tried to force its intentions on the local councils the Opposition said it did not want it.

Mr. MACLELLAN: Did you say that in 1969?

Mr. WILKES: Right down the line we have said that we did not want the freeway down the Merri Creek valley. I have said I did not want that freeway.

Mr. MACLELLAN: Have you got a cutting?

Mr. WILKES: The Minister will have time to answer that if he wants to. The Opposition does not want that freeway there.

Mr. MACLELLAN: You do not want it now.

Mr. WILKES: We do not want that freeway down there but the Country Roads Board, which the Minister is now responsible for, continued to buy property right up until last year for something which the Minister said the Government did not want to go on with. It made the decision long before that. Why waste public money on acquiring property and causing a disadvantage to people in the area? If the Country Roads Board bids for a house everyone knows what it is all about. The

value of the properties nearby is reduced if a freeway is to be built or a road widening scheme is to be undertaken in the area. The Government is too late in introducing this legislation. It does not go far enough. The Opposition supports the Bill because it goes some of the way.

I congratulate the Minister on his appointment but that is as far as I am prepared to go. I will watch to see how he performs in future. Members of the Opposition will be interested to see how he performs in the capacity of Minister of Transport. We will be the first to acknowledge it if there is any dramatic change in Government policy. Changes in Government policy are by necessity and for no other reason. The major changes in Government freeway policy or Government traffic control policy only occur before an election. There was a change in policy before the last election, and the Premier announced a change in policy before the 1973 election. No matter what the Country Roads Board put forward the Premier looked at it and said the Government had better change that because it would not be popular at election time. Why waste money? How much is wasted by the Country Roads Board in carrying out surveys in producing plans the Government has said previously, and says now, it does not intend to adopt?

If it is the responsibility of the Country Roads Board to recommend and plan a metropolitan or outer ring road and the Government stops the project, there is a waste of money. These projects should be the subject of discussion between the Minister of Transport and the Country Roads Board. If the Minister had to live in Fitzroy and Collingwood, the area affected by the Eastern Freeway, he would know precisely what the Opposition is talking about. The freeway has relieved traffic problems at the Johnston Street bridge and in Heidelberg

Road, but it has compounded traffic problems in the feeder areas into Wellington Parade and Alexandra Parade where it starts.

One need only attempt to cross from north to south any of the roads I have referred to, to realize the problems. The Government and the Country Roads Board must have known what problems would be created because of the opening of the freeway but there was no further consideration of what would happen. Very little has been done by the Government to relieve the problems. I have seen no plan by the Country Roads Board or the Government to relieve congestion. The Government's *ad hoc* policy removes problems in one area and creates problems in another area. Whether the Minister likes it or not, that is what has happened. I do not know if the Minister has inspected the area himself.

Mr. MACLELLAN: It is not the best.

Mr. WILKES: No, it is not the best. Whilst it may not be the fault of the Minister personally he would be well advised to consult the Country Roads Board, now that he is to assume power under the proposed legislation, to ensure that there is an end to *ad hoc* planning by the Country Roads Board, whether the Government agrees to it or not. Something better is needed in this State. In 1969, the then Minister of Transport, Mr. Vernon Wilcox, said that this was a great city because people lived in it, and we had to be careful about what we did about road development. Without a doubt, this would be the most backward State in Australia in relation to future planning for freeways and the control of traffic.

The Bill increases certain penalties. Nothing is said about the real control of traffic. This is one of the few cities in Australia that does not have computerized control of its traffic lights system. Even in Queensland, Brisbane has a most comprehensive, sophisticated televised system similar

to that in greater London. This is because the Government of Queensland is prepared to subsidize the local authorities to set up such an establishment. It would be worth while for the Minister to go up there and inspect it. In Queensland, as in New South Wales, it is possible to control traffic with one or two operators sitting in front of a screen and seeing what happens at particular intersections. I commend to the Minister that, as well as proper freeway planning, Victoria needs proper control of its traffic. The Melbourne City Council has done nothing, and this Government has done nothing about computerized control of traffic through television screens. It happens in New South Wales, in Queensland, and in every modern city in the world, but it does not happen in Victoria.

Whilst the Bill talks about increasing the powers of the Minister, it also increases penalties by 100 per cent. There is nothing in the Bill to suggest that Victorians can expect better control of traffic through a computerized system and a modern, planned, updated arterial system—forget about the freeways. There is no guarantee in the Bill that the Minister will exercise control over the Country Roads Board, and until he and the Government are prepared to do that they will stand indicted because of their lack of freeway policy and lack of control of traffic planning in this State.

Mr. McCLURE (Bendigo): The speech of the Leader of the Opposition was somewhat devoid of original material. The honorable member seemed to quote at length from a large number of newspaper cuttings, and from speeches of other members of this House, but I do not think he put forward one original idea for solving traffic or road problems throughout the State of Victoria or in Melbourne. On that point I am told that one-third of the population of Victoria lives outside the metropolitan area yet, in the address of the Leader of the Opposition I detected

only two references to Victoria as a whole. He then said that what was needed to solve the State transport problem was a metropolitan transport committee. If a metropolitan transport committee is to be the salvation of the State's roads, I would be surprised.

One can only bemoan the fact that no longer present in the Chamber is the former member for Melbourne, Mr. Barry Jones. His somewhat learned dissertations on transport could be said to be inspired. He always put forward some positive thoughts of his own, and allegedly thoughts of the Opposition, but that is no longer the case because those thoughts are no longer available. He put forward his thoughts on the way he saw the problems of the State road system being solved. The previous spokesman for the Opposition used to talk about grids in the metropolitan area. There is no mention of that. He used to talk about loop tram systems in the city area. No longer is there any mention of that by the Leader of the Opposition.

The Leader of the Opposition concentrated on increased Ministerial responsibility over the Country Roads Board, and he questioned the reason for this. Ministerial responsibility purely means just that, and if the honorable member's memory serves him well enough, he should recall that not so long ago he and his party, when chastising the then Minister of Transport for the breakdown in sections of the Hume Highway, said that the Minister was responsible. Now he questions the need for the Minister to be given more responsibility. If the Minister is to be responsible for the actions of the Country Roads Board or its contractors, then he must have the authority that goes with that responsibility. In my view, this is overdue.

Unlike the Opposition, I believe that, collectively, Victoria has the best roads within Australia. The Country Roads Board is acknowledged as an authority in road building, and its skills and expertise are

recognized throughout the world. In fact, the road expert from the United Kingdom who was brought here over the Hume Freeway failure said that the road traffic was not the cause, and that the Country Roads Board actions had been correct. It was breakdowns in materials which caused the problems.

Whilst the Country Roads Board is an expert in road construction, it is not necessarily in its best interests to decide the policies for the State. In my view, the Country Roads Board tends to concentrate too much on statistics when dealing with the need for roads rather than on social or other policy matters.

The Calder Highway between Melbourne and Bendigo was named after the first chairman of the Country Roads Board. The Country Roads Board probably labours in the belief that by keeping the road as it was when Mr. Calder was the chairman, it is a memorial to him. It is time that the Country Roads Board got stuck into that road and did something about it.

The traffic count on the Calder Highway is about 6,000 vehicles per day, according to the board's devices on the road. If that is compared with the Western Highway and the Hume Freeway, it is relatively insignificant. Therefore, apparently, the board considers that there is not enough traffic on that road to warrant spending a lot of money on it. The Leader of the Opposition said that people go out of their way to avoid using the Calder Highway. That keeps the count down, and satisfies the Country Roads Board that it should not spend money on it.

I believe, in the interests of decentralization in Victoria, it is important that the major provincial cities should be served by good roads. The Western Highway is a national road classified by the Federal Government, and is allocated large sums of money. It was said in the newspapers that the Federal Minister for Transport, Mr. Nixon, is setting

Mr. McClure.

about making the road to Ballarat a four-lane highway. Bendigo and Ballarat have a growth rate, in terms of the number of people, which is second only to that of Geelong. If one takes traffic counts as being the main criteria for building decent roads and freeways, I suggest that the Tullamarine Freeway should never have been built, because before it was built there was little traffic to Tullamarine. Therefore, the Country Roads Board argument fails.

That leads to some discussion on the way in which the Federal Government allocates funds to the States for road building. It must be of great frustration to the Country Roads Board when the Federal Minister does not seem to know anything about the road system of Victoria.

The Federal Minister for Transport, Mr. Nixon, is a country man himself, but he fails to recognize the needs of country Victoria as a whole. I am glad that my colleagues in the corner have come to life; I must have struck a nerve.

Only twelve months ago the Federal Minister for Transport deliberately and knowingly cut back on funds available for the building of arterial roads in the main provincial cities of Geelong, Ballarat and Bendigo. It is to the man's utter condemnation that he did this knowingly and with full advice, although he claims to be a country man and indeed, his colleagues, who would also like to represent areas such as Geelong, Ballarat and Bendigo espouse his policies and claim that what he has done is a good thing.

The honorable member for Rodney said that a colleague of his had taken out some figures on the amount of money which the State Government provides for its roads and stated that the amount had been halved over a certain period. The honorable member should examine the amount that the Federal Minister for Transport provides to Victoria for road works from the petrol taxes the

Federal Government collects. The Federal Government collects \$100 million a year more from the motorists of Victoria than is given back to the State for road works.

If the Federal Minister would simply be honest and have returned to the State motorists the amount of money which is collected from them, ostensibly for road works, in one year the entire stretch of the Calder Highway from Melbourne to Bendigo could easily be brought up to top-class condition. Let us do that next year.

It would be a certain election winner for the National Party in the Bendigo Province if it could guarantee that the Federal Minister for Transport would give that \$100 million next year. The Federal Minister sneers at efforts of the State to increase road maintenance charges despite the complexity of section 92 that he knows about full well, yet he has the capacity and the means to direct more funds to Victoria for road building. However, so far he has not done so.

The Bill is a good measure. Apart from referring to dealings with the Country Roads Board, it also touches upon the Street Lighting Committee, which until now has not worked as well as it should. The work of the committee has been fraught with delay.

In 1970 the Bendigo City Council applied to the Street Lighting Committee for the installation of street lights within the City of Bendigo, particularly along the Midland Highway, yet almost eight years later those lights have still not been installed. Earlier this year it was intimated that the lights would be installed. Earlier this year it was intimated that has not occurred. I ask the Minister to draw this to the attention of the Street Lighting Committee, when it is reconstituted. I hope that the committee will be able to meet more often in the future than it has in the past.

**Mr. REMINGTON** (Melbourne): The honorable member for Bendigo complained that members of the Opposition repeated themselves on a number of occasions during the debate on the Bill tonight, but it was essential for them to do so. The late Drew Aird, the most eminent industrial advocate ever to appear before the Conciliation and Arbitration Commission in Australia, who later became a distinguished Deputy President of the commission, said that it was necessary when presenting a case to keep repeating the point time and time again, particularly when dealing with dull people, so that eventually they would understand what one was saying.

**Mr. WILKES:** Even then it is difficult for some people to understand.

**Mr. REMINGTON:** Yes, it is difficult, but they will get the message next May. I also sympathize with the honorable member for Bendigo because of the problems confronting him; if there is a swing of 3.5 per cent, he will be done for sure!

**The SPEAKER (Sir Kenneth Wheeler):** Order! The Bill gives the honorable member ample scope to make a contribution to the debate without making assumptions on what is likely to happen in so many months' time.

**Mr. REMINGTON:** Certainly, Mr. Speaker. After having read the Treasurer's 1978-79 Budget speech, which occupied about 41 pages, I can understand the fears of the honorable member for Bendigo. Of the entire 41 pages, only eight lines were devoted to transport in country areas. Naturally the honorable member for Bendigo is concerned about what the Government is doing to improve country roads and transport, and about its policies on transport generally.

The Opposition supports certain elements of the Bill very strongly, particularly the element that gives greater authority and power to the Minister. In essence the Opposition regards that element as necessary

enabling legislation so that when a Labor Government occupies the Government benches it will be able to establish a Victorian transport commission. The Labor Party Minister of Transport will certainly exercise strong control over the operations of the Country Roads Board, in establishing the proposed transport commission, which will co-ordinate the State's transport systems.

The proposed Victorian transport commission will be responsible to the Minister of Transport and to the Parliament. The public should know that representatives of the Commonwealth and State Governments, employee organizations, private transport, industry and community interest will be included on the commission.

It is essential to have a comprehensive State transport commission to get rid of the tremendous chaos that now exists on country roads, in the public transport system, and particularly in the hotchpotch of free-ways scattered throughout metropolitan Melbourne.

At least the Victorian State transport commission will plan public and private transport systems at all levels. The commission will determine relative budget allocations and set general priorities in transport. It will recommend special projects to the Commonwealth Government in which its involvement is desired. It will accept reports and recommendations from the newly constituted metropolitan State transport authority, the road transport authority, the freight co-ordinating authority and the consultative transport authority.

The Country Roads Board is not a small organization. It is a big and powerful organization in this State. In its 1977-78 report it stated that the total revenue available under the Motor Car Act, including the allocation from the roads fund, was \$204,312,788. We are dealing with a strong and powerful road organization. The estimates of receipts and

payments for the Consolidated Fund, with which the Premier dealt, reveals that the operating income of the railways for the ensuing year is estimated to be \$185,435,000, which is substantially less than the finance available to the Country Roads Board.

One of the problems with the whole of the current transport system in Victoria is the lack of co-ordination, planning and direction. Normally, one would welcome the new powers to be given to a Minister under this Bill, but one must also have some misgivings about how that power will be exercised by a Minister of the Hamer Government. It is always necessary, if one is looking at what will happen in the future, to look back into the past, because one's past record of achievement is a guide to what one is destined to do in the future. In looking at the record of achievement of the Hamer Government in all areas involving transport, whether the Victorian Railways, the Country Roads Board, the construction of freeways or the problems confronting people in country areas, one consistently finds real problems.

In the Ballarat Province in which a by-election will be held, the problem facing shires is insufficient funds to maintain roads or bridges in country districts. The contribution given to shires in rural Victoria is less in real terms than what is in previous years.

I understand the problems confronting country people. Wherever one goes in Victoria, whether in rural areas or in the metropolitan area, there is a lack of planning and co-ordination. Certainly this Bill will enable a Labor Government to overcome those problems.

I have said that it is essential to look at past performances. In recent years the Hamer Government has dishonoured its plans time and time again. The Government has no purpose and no direction. It is lacking in leadership. Before the last State election, when the Government received some flak from voters in the

Mulgrave area, under the old Dale Carnegie attitude of how to win friends and influence voters the Premier went out and said that the Mulgrave connection was not on and that the Government was not going to build it, so people went out and foolishly voted the Premier's Government back into power. What has happened? The Country Roads Board continued with those extensions to the Mulgrave Freeway.

It is on again now. The elections are near and having set two sections of the community one against another, the Government is again assuring people that the Mulgrave extension is not going to happen for several years to come. There is a report on page 11 of the *Sun News-Pictorial* of 26th September, 1978—"Freeway not on—Hamer". Hundreds of thousands of dollars have been wasted on plans. The elections are close and the polls are against the Liberal Party. The Liberal Party was done like a dinner in New South Wales. The Victorian Premier dashed out and asked his party how it can win favour back from the voters. Never mind about policies and principles! The Premier is out in the market place desperately trying to win votes. "Freeway not on," says Hamer. The report in the *Sun News-Pictorial* says—

No freeway would be built from Diamond Creek to Ringwood, the Premier, Mr. Hamer, announced yesterday.

The Mulgrave Freeway was not on after the previous State elections. Now it has had to be deferred. Previously this freeway was on. The elections are getting close, so it is not now on. I have lived at Box Hill for some 25 years and every few years since I have been at Box Hill the Government lowers the railway line. It must be deeper than the Moscow underground. This is the performance of the Hamer Government every time there is an election—London to a brick. The new Minister of Transport had better find his way to the Box Hill council because at election time the Government talks to the mayor and councillors and once again they lower the railway line at Box Hill.

**The SPEAKER (Sir Kenneth Wheeler):** Are you talking about the Country Roads Board?

Mr. REMINGTON: I am talking of the performance of the Government. It is necessary to evaluate, when considering an amendment to this legislation, what will be the performance of the Minister of Transport. His predecessor performed extremely badly. In the by-election in New South Wales last week-end, the Labor Government ran on the caption, "You cannot trust Fraser." Soon there will be the caption, "You cannot believe Hamer." The record of the Government has been the continual breaking of promises. The Government goes out to the market place to woo votes without principle and it makes promises that it does not keep.

Not only are there problems of a lack of planning, direction and coherence from the Government, but in addition, the Government does not accept the true problems confronting Victoria in relation to transport. This Government does not have an energy policy. Its counterparts in Canberra do not have an energy policy. It seems as though Victoria is determined to build roads and freeways as though they were going out of business. Actually that will more than likely happen. There seems to be some sublime belief that oil is not going to run out, that God in heaven will come down and renew the fossil fuels. As the Government has totally ignored planning in transport, so it has totally ignored the fact that fossil fuels are a finite resource and that there will be a crisis in this country in the 1990s. There is no question about it. The predicted energy crisis has a lot to do with the freeways that are built. When building freeways, resources and funds must be devoted to the development of a proper public transport system, particularly for commuters in and out of the City of Melbourne. The Government was desecrating the Yarra Valley and pretending it did not know that the Country Roads

Board was out there, going through Yarra Bend park and other places with bulldozers. The Leader of the Opposition was kind when he almost implied that the Government did not know what the Country Roads Board and other instrumentalities were doing. I am quite confident that the Government knew what the Country Roads Board was doing.

**The SPEAKER (Sir Kenneth Wheeler):** Order! The honorable member is now going back about six years.

Mr. REMINGTON: To clarify the position, Mr. Speaker, are you calling me to order or are you joining in the debate?

**The SPEAKER:** Order! If I were calling the honorable member to order, he would clearly understand and know it. I can assure him of that. All I am saying to the honorable member is that he is now referring to something that occurred six years ago. I point out that the House is now debating the Bill before it.

Mr. REMINGTON: Thank you, Mr. Speaker, but I point out that it is necessary to understand the performance of the Government and its Ministers. Indeed, what occurred six years ago is very relevant, because that is what will happen again under the same Minister. On the past performance of the Government it is necessary to look back and see what happened. I only hope the voters will look back and see the record and performance of this Government when it goes to the polls next year.

As I have said, it is relevant to understand that there is an energy crisis confronting this country. That has a lot to do with the expenditure of public money on freeways by the Country Roads Board and on public transport systems. It has been estimated that, by 1985—

Mr. STEPHEN: Tell us something you know something about.

**The SPEAKER:** Order! The honorable member for Ballarat South will cease interjecting or he will have to face the consequences.

Mr. REMINGTON: It has been estimated that by 1985 the cost of importing fuel to this country will be \$2,000 million. That will have a devastating effect on our balance of payments and on inflation, and it will be a major economic problem. Despite that, in Victoria and in Australia generally there is no real plan for the conservation of energy. President Carter acknowledges the problem. In the United States of America there is a speed limit of 55 miles an hour on all freeways and it is observed reasonably well. The larger engines, the V8s, have been phased out in America. The people in that country know the reality of the energy crisis but Australia and Victoria pretend that it will not happen.

In his second-reading remarks, I was pleased to note that the Minister said that he was concerned about the noise problems that may arise through people misusing property owned by the Country Roads Board. The honorable gentleman gave the example of unauthorized use of board land for such purposes as riding motor bikes and go-carts and the flying of powered model aeroplanes. I am pleased that the Minister took up the problems of noise because I will be meeting him in approximately a fortnight's time with a deputation of people from the Kensington and North Melbourne areas. Those people would be only too pleased if the sort of noise problems they had to bear were confined to the noise emanating from go-carts, motor bikes and model aeroplanes. They face much greater problems because the Country Roads Board has failed to plan properly for the movement of heavy transport through the inner suburban areas of Melbourne. In the Flemington area there are 2,900 heavy goods vehicles, which thunder through Kensington each day; 300 of them do so between the hours of midnight and 6 a.m. There is a real need for the Minister, when exercising his powers, to have the Country Roads Board overcome these problems that confront people in inner suburban areas.

The deputation will put that submission to the Minister in a fortnight's time. I point out that I have told the deputation that the new Minister will receive them well, but that the man to whom they should really talk is the honorable member for Knox, because he is the person who will have the job of resolving their problems. That concludes my remarks on the Bill, except for my reiterating that members of the Opposition see the Bill as enabling legislation and we trust it will help us to implement our transport policies.

**Mr. McINNES** (Gippsland South): The honorable member for Bendigo, in his contribution to the debate, rather scathingly attacked my Federal colleague, the Minister for Transport, Mr. Nixon. The honorable member suggested that Mr. Nixon should be directing his energies towards ensuring that the whole of the petrol tax is returned to the States to fund roads. I point out that the Federal Liberal Government, which has been in control of the Treasury for some time, has repeatedly stated that revenue from the petrol tax is unrelated to the amount of road allocations. It is not possible for Mr. Nixon to ensure that the whole of the petrol tax is returned to the States when there is a predominance of Liberals in the Cabinet who are expressing a philosophy different from the one adopted by the honorable member for Bendigo.

The people in country Victoria suffer the same problem, because once the funds are made available to the State Government from the Federal Government and are then allocated by the Victorian Treasury, it is necessary for country people to fight to ensure that country areas receive a fair share so that balanced development can take place. Communications is one of the major problems and the honorable member for Bendigo, who represents a country electorate, ought to be supporting the National Party rather than being an apologist for his metropolitan Government based in Melbourne.

The main purpose of the Bill, as has been pointed out quite rightly, is to strengthen Ministerial control over the Country Roads Board and to assist the board in the administration of the Country Roads Act. I point out that members of the National Party consider that the board should no longer be known as the Country Roads Board because it now works in the metropolitan area. By assuming another name, such as the State Roads Board or the Main Roads Board, it would more correctly reflect the board's role and get rid of all the cant and hypocrisy that has gone on. Because of the name of the board, many people believe the country receives more than its fair share. Regrettably, that is not so.

Although the Bill contains other provisions, there is no doubt that its main thrust concerns Ministerial control. During his second-reading remarks, the Minister said that the board would administer the Act subject to the general direction and control of the Minister and any specific direction given by the Minister in relation to the matter or matters specified in the direction.

Members of the National Party are not criticizing the work of the board, which has been a marvellous public utility. The standard of its work is world class, as one can see from the freeways. Perhaps the Hume Highway is the exception where the board appears to have fallen down on the job.

The difficulty with any technical body is that in the long run it becomes increasingly isolated from the people it serves, and occasionally it needs reminding of the needs of those people. The political arm of the community must interpret the day-by-day needs of the community as well as the longer term, trying to equate the two situations which at times are at loggerheads. The Government and the Minister can suffer the fate of all politicians if they do not consider both viewpoints.

Mr. McInnes.

For this reason the community has a great stake in ensuring that control of public affairs is not virtually delegated, as it has been in the past, to commissions and boards that this Government is fond of establishing. This has led to a succession of weak Ministers, and honorable members have all been ashamed when they have gone to deputations and found that the Minister has been a Minister in name only with little or no power over the authority that he administers. If this Bill serves to strengthen the responsibility and authority of Ministers over those authorities, it increases accountability and that is a good thing.

The rule of thumb that has been adopted by the Government in many areas of politics has been "the greatest good for the greatest number". That is a laudable objective in many ways except that it has some shortcomings. When the Government is also committed to the development of a State or country, it needs to take a broader view and a responsible Government should look further than to the immediate needs. In the area of communications this is extremely important. All honorable members know that population followed the railways and that the development of country areas follows the construction of high-class roads.

The Government should be committed to this priority. Too frequently, following the earlier maxim of the greatest good for the greatest number, large proportions of the funds have gone into certain areas but the relative contribution to the raising of those funds has fallen heaviest on certain people. Many people in country municipalities pay more than their share and frequently receive less than they deserve. Members of the National Party have commented that both Federal and State Governments have avoided their road funding responsibilities to local municipalities. That claim is backed by the fact that the proportion of the Victorian Budget directed to roads has slumped by 47 per cent in nine years and during the

same nine years the Commonwealth proportion dropped by 22 per cent. Between 1968-69 and 1976-77 the Victorian Government's share of road construction costs fell by 16 per cent and in the same period—I remind the honorable member for Bendigo—the Commonwealth share increased by 24 per cent and the local government share remained about the same.

The proportion of revenue collected from Victorian motorists and allocated to roads fell from nearly 80 per cent in 1968-69 to about 60 per cent in 1976-77. The Commonwealth Government road grants as a percentage of petrol tax collected has varied between 42 per cent and 52 per cent in the same period. This is felt increasingly in the electorate and despite some large Country Roads Board grants last year—and in the electorate of Gippsland South an amount of \$2,756,300 made available for road works—the allocation was not sufficient to keep up with the problems of inflation then existing and the electorate fell further and further behind. The Shire of South Gippsland took out some interesting figures.

**Mr. STEPHEN** (Ballarat South): I raise a point of order. The honorable member is having a wide-ranging discussion on the funds made available by the Country Roads Board to shire councils throughout the State. I cannot see the relevance of this and I believe the honorable member is out of order in covering such a wide discussion.

**The SPEAKER** (Sir Kenneth Wheeler): Order! I cannot uphold the point of order. The matters contained in the Bill are wide-ranging.

**Mr. McINNES** (Gippsland South): I am referring to the inequitable allocation of funds and I believe any responsible Minister of Transport should be taking pains to ensure that funds are distributed fairly and favourably. I quote from a letter from the Shire of South Gippsland which indicates that the construction index for roads shows that these are

costing considerably more to maintain. In that period ended 30th June 1976, it rose 14.7 per cent. The shire secretary then went on to state that the costs of hot mix bitumen emulsion distillate, cement, steel and concrete pipes and so forth increased by a similar percentage. Inevitably less work is done. He related that to the fact that local government could be a major tool in the fight against unemployment if given the resources. He went on to say that increased road use, particularly by heavy trucks and as a result of tourist promotion, coupled with the effect of reduced funds for road construction and maintenance, will in the not-too-distant future result in the destruction of a valuable State asset.

I say that with some strength because there is no doubt that although we are patching now, we will be facing substantial major capital works increases in the future if we go on ignoring the fact that we must apply the same relative level of maintenance to all roads through the State and not just in selected areas. Some councils are reducing staffs as a result. I commend that to the Minister and point out the great need for more attention in that area. I also make the point that the Minister of Transport that he formerly represented an area which contained one of the Cinderella roads of Victoria—the South Gippsland Highway. He is aware of the great need to duplicate the South Gippsland Highway beyond Cranbourne to Tooradin and extend it into South Gippsland. It is one of the worst highways in the State, a Cinderella highway which is dangerous in many places. This is where there should be a concentration of effort. I hope the Minister will receive a deputation shortly and view the proposal favourably. Rail services are becoming poorer and there is a need for greater priority to be given to that highway.

The Minister must devote greater responsibility in relation to future highway planning. A deputation to the former Minister of Transport was

surprised to learn that in relation to the main arteries such as the South Gippsland Highway, Princes Highway and other highways there was no clear long-term plan. A section would be done here and there and would be done well. But the areas in between were not constructed and insufficient consideration was given to what would be done in the future. Large sums of money are committed to major highway capital works without a firm idea of the final over-all alignment.

If the Country Roads Board and the Government do not know where they are going to establish roads, how can the ordinary businessman, farmer or municipality plan for their own future development? I defy anyone to ask the Country Roads Board where a road will go in five years' time because it simply does not know.

Another important matter is the diversion of the South Gippsland Highway from the Sale end. Recent heavy flooding in that area has highlighted the continuing problem that I have attempted to induce the Government to face up to for years, namely, the need for a high level bridge. It will cost several million dollars but will be a main link. This is a problem that should be attacked as soon as possible.

Another matter is funding for municipalities. In the past, funds which have been allocated to municipalities have, for a number of reasons, such as the wet season in Gippsland this year, not always been expended. When the area receives the heaviest rainfall on record over a prolonged period it is natural that public works are held up, and yet one finds that money will be returned to the Country Roads Board and that the municipalities will not be eligible for a revote or commitment. So we have a double indemnity. The shires lose that money as it does not continue on to them as a revote for the next financial year, but at the same time they are faced with heavier expenditure because abnormal weather conditions have destroyed bridges

and roads. The Minister should take this matter into account.

Other broader points were raised, including the energy crisis, the controversy between public transport and the development of freeways, which goes on endlessly. I agree with the honorable member for Melbourne, that the Government has not faced the problem but has hoped it will go away. In the United States of America fuel costs increased from \$2 billion to \$40 billion in one decade. The same thing will happen in Australia on a smaller scale. This matter will be referred to in other debates, such as the energy crisis; but the fact remains that the use of power and petroleum products is largely geared to our highways and unless we set up an over-all transport commission which can look at the best use of road, rail and possibly air transport for intrastate operation, we will plunge headlong into building more freeways. As honorable members know, as freeways are constructed their capacity to absorb the number of vehicles that use them is regrettably almost outdated by the time they come on stream.

**Mr. AMOS (Morwell):** The Labor Party welcomes the control of the Country Roads Board proposed by this Bill. For many years we have witnessed the roughshod way that the Country Roads Board has ridden over the community, municipalities and indeed even this Parliament. I will never forget the way in which a freeway was pushed through the Yarra Bend Park without any reference to this Parliament or anyone but itself.

Before going further I wish to refer to a couple of points already mentioned by previous speakers. When the honorable member for Bendigo addressed the House he criticized the role played by the Federal Minister for Transport in providing for adequate roads and freeways in Victoria. It seemed somewhat absurd to me that a Liberal backbencher of this Parliament should criticize a Minister in the coalition Government in the Federal Parliament

for not providing assistance, thus implying that this man has not done anything for country Victoria. I hope I am doing the honorable member justice by using the correct words—he said that this man had not moved out of his own electorate, that this Minister had not in fact granted the Victorian Government the concession that it had sought from the Federal Government with relation to road funding in Victoria. I find that absurd, because I am reminded of the times, not so long ago, when the honorable member for Bendigo and other Government members supported the Federal National Party Minister for Transport in such a way that they even called upon their own colleagues in Gippsland not to stand as a candidate against him at election time. They supported him to that extent and said publicly they had the utmost confidence in the Minister and that they were going to support him. On this occasion, it suited the honorable member for Bendigo to castigate the Federal Minister for Transport and say that he ought to be removed as he is not doing his job. Will the Government remember and say the same thing during the election campaign?

**The DEPUTY SPEAKER (Mr. McLaren):** I ask the honorable member to speak on the Bill.

Mr. AMOS: The honorable member for Bendigo should have said that the reason why the Calder Highway to Bendigo has not been upgraded to the same extent as the Hume Highway or the Western Highway to Ballarat is that it has not been declared a national highway by the formula and agreement reached by the State and Federal Ministers of Transport. The Calder Highway has not been declared a national highway. It has not received the funds which the Western Highway and Hume Highway have received, nor has the Princes Highway. If one were to consider the question of priority—that is, road use—when determining where funds should be spent, one would find that it would

not be the Calder Highway, as the honorable member for Bendigo suggests, nor would it be the Hume Highway, as most Victorians mistakenly believe, or the Western Highway but the Princes Highway East, certainly to Traralgon, if not to Sale, that would receive priority funding. The honorable member for Bendigo stated that it was not necessarily just a question of road traffic count that determined the amount of money to be spent on the funding of highways.

Mr. MACLELLAN: I think he said it should not be only the traffic count.

Mr. AMOS: To be fair, I accept the correction of the Minister of Transport, that that should not be the only criterion used. But to be fair, if the Minister of Transport accepts the qualification in such a way that he attempts to support the honorable member for Bendigo, let him say to this Parliament that he accepts that contention completely and that he will take into consideration the amount of traffic that uses a particular highway. If he and this Government take that into consideration in their representations to the Federal Minister at the National Council of Transport Ministers this Government will be saying that the Princes Highway East to the Latrobe Valley should have number one priority.

Recent traffic counts by the Country Roads Board show that this is the most heavily trafficked and busiest highway in the State. One of the reasons why the Princes Highway East, at least to the Latrobe Valley, is the most heavily trafficked road is the involvement of the State Government and the State Electricity Commission in the Latrobe Valley. If Parliament commits the State Electricity Commission to an expenditure of \$1,600 million in developing the massive Loy Yang coal fields and power station—by far the largest undertaking upon which the State has ever embarked—it naturally follows that there will be an increased traffic flow to that area and a greater reason for upgrading that highway.

Where is the money? Has the Government provided it? Have representations been made to the Federal Minister for Transport or the Prime Minister suggesting that additional funds ought to be made available for the Princes Highway? As honorable members well know, the answer is "No". These steps ought to be taken. That is sufficient reason to accept the interjection by the Minister of Transport acknowledging the increased traffic flow in giving a higher priority to the allocation of funds.

The Bill refers also to the exercise of greater Ministerial control over the Country Roads Board and over the State's road funding.

Mr. KENNETT: Do you agree with that?

Mr. AMOS: I certainly agree with the concept enunciated in the Bill. The honorable member for Burwood should take some time off from his other activities to see what the Country Roads Board is doing. Moreover, he should extend his activities a little further again and visit the Ministry of Transport to compare the facilities there with those available to the counterpart Ministries in South Australia, New South Wales, and even Western Australia. If he did that, he would observe an unfavourable comparison so far as Victoria is concerned.

It is no wonder that successive Ministers of Transport have failed in their responsibilities to this Parliament and to the public of Victoria in exercising Ministerial control over statutory authorities. Is it any wonder that Fitzroy, Collingwood and other municipalities throughout Victoria have complained about the way their interests have been ridden over roughshod by the statutory authorities? In debates in this Parliament, the Government has shown that it has not had the knowledge, technical expertise and advice necessary to convince Parliament and the public at large about its motives. This is particularly apparent in the type of advice that is available at the Ministry of Transport.

I revert to the invitation to the honorable member for Burwood to view for himself the Ministry of Transport. Obviously, he has not seen the Ministry at work, otherwise he would not have made the inane comments that he has made tonight. In fact the Government has so neglected road transport—indeed transport generally—in this State that its own Ministry can be described only as a paper tiger. It has made but a purely token effort. It has not the research staff or the back-up facilities to provide the Government with the expert advice that is required.

On a recent visit to the Ministry of Transport, I was aghast to learn that the computer facilities that the Ministry had been speaking about were provided by a city in the United States of America. The Government thought that it could perhaps use some of the software and maybe adapt some of the results to the Victorian situation. When pressed for further clarification about how this software worked and how the computer network would assist Victoria, there was a deafening silence with no suggestion of how it operated. The Government has neglected its responsibilities because it simply has not the back-up staff. It is but a token Ministry that is using outdated computer programmes from another country which have no direct relationship to what is required in Victoria.

Further, it has so neglected the statutory authorities as to produce a situation that the Government is trying to correct by the passage of the Bill. The Bill is most welcome. The examples that have been given by Opposition members who have spoken during the debate, particularly the Leader of the Opposition, show clearly that the Bill is long overdue and that there is a need for Ministerial control. I hope that in my contribution I have also shown to the Minister and to the House that there is a need for the Minister to have access to far better advice than that which has been available in past years.

**Mr. EBERY** (Midlands): The debate has been very wide, ranging from fossil fuels to planning. There was reference also to the reason why the decision of the Federal Minister for Transport was not opposed. I wish to contradict some comments that have been made by Opposition members.

Firstly, one of the main objections to the Bill was that the Victorian Government has not been increasing sufficiently its allocation to improve transport facilities. I point out most forcibly that the State's only revenue-earning capacity is through motor vehicle registration fees. Apparently, the Opposition is asking the Government to increase motor registration fees.

The Federal Government gains additional revenue from the increased consumption of petrol and diesel fuels, and this is a natural growth factor. That Government naturally increases its revenue-earning capacity whereas the State, by way of legislation, has to increase motor registration fees to provide road funds.

As the Country Roads Board has the technological capacity and ability to plan and construct roads, I wonder why the Federal Government has to categorize the various classes of roads. Recently, the Federal Minister for Transport refused to allocate Commonwealth funds to the State. As the Country Roads Board has the experience and knowledge in road construction and in setting priorities, I question the need for duplication. It is the fundamental responsibility of the board and the State Government to set priorities for road construction.

The main purpose of the Bill is to bring about Ministerial responsibility. That will be of tremendous advantage to the planning and over-all oversight of road construction in Victoria. I support the Bill.

**Mr. KENNETT** (Burwood): Having been particularly singled out by the honorable member for Morwell, I must comment on the Bill. The honorable member consistently stated

that the State Government in Victoria has neglected the road system of the State. By way of comparison he brought to the attention of the House the situation in New South Wales and South Australia. It was typical of him that he made wide, sweeping allegations about the road system and then disappeared from the House, thus showing little interest in the accusations he made.

**Mr. Amos:** Who has disappeared?

**Mr. KENNETT:** I apologize. I could not see the honorable member over the books on the table. The roads in Victoria are a great credit to the Country Roads Board and to the State Government. The honorable member for Melbourne spoke about the need for priorities under any legislation, and particularly for Government spending programmes. The Opposition calls for better roads and better servicing of country areas and indicates that it is willing to expend more funds, but does not disclose the source of those extra funds. This is always the attitude of the Opposition. The Opposition does not indicate whether it will cut back existing services in other areas.

Obviously there are only two ways in which the Opposition can implement its programme. The first way is by raising taxes and the second is by cutting back funds for other services, such as education. If the honorable member for Morwell has become the Opposition spokesman on this subject, I challenge him to come clean with the Parliament and those he represents and, if it is true that he wants either to raise taxes, or to cut back on education or social welfare, to tell that to the people of the State.

The Bill does one thing of great note; it returns more direct responsibility to the Minister. That is an aspect on which honorable members from all parts of this House seem to agree tonight. By returning responsibility to the Minister, responsibility is returned to the Parliament. A reversal of that nature is something that ought to be encouraged in this legislation and in any legislation that deals

with the authorities of the State. Obviously the Government party supports the Bill. I support the Bill personally. I again ask the honorable member for Morwell whether he has the courage to say to the people of Victoria that he would provide better services by increasing expenditure, which will also obviously mean that runaway inflation will occur under a Labor Government or, if he is responsible, say that he will raise taxes or cut back expenditure on existing services.

**Mr. SIDIROPOULOS** (Richmond): I welcome the Bill because some Government instrumentalities have too much power. When Freeway F19 was being built, I was Mayor of Collingwood. I found out that the Country Roads Board had too much power and that power influenced not only the Minister of Transport but also the Government. The biggest mistake of the Government was to ignore the will and wishes of the people in the area as well as of local government in the area. I am referring to the people of Collingwood, Fitzroy and Carlton and all those who would be affected by the freeway.

People in other areas were also much concerned about freeways. Today the community has a better understanding of the effects of freeways on people. The people in Alexandra Parade still suffer badly because of the freeway. I shall give an example of people who cannot receive compensation. I received a letter from a person who has a business on the corner of Alexandra Parade and Gore Street. This person lost a lot of his trade and he cannot sell his shop. He is in a desperate position because the Government, and the former Minister of Transport, have said that it is not possible to compensate for loss of business. The letter states—

Ever since the F19 freeway began operating, I have had numerous problems to contend with.

My business has been going down since then, my profits have fallen by approximately 30 per cent and business is still declining.

My family suffers greatly with noise and dust pollution. My wife is suffering from anxiety and depression relating to the opening of the freeway.

I have tried to sell the business but have been unsuccessful. In fact, it is highly unlikely that I will be able to sell the business at all.

I would be most grateful if you would make representation in the State Parliament on my behalf for compensation.

I wrote to the then Minister of Transport, and the relevant part of his reply stated—

As you are probably aware, the Government has recently received a report by Mr. J. Gobbo on Town Planning Compensation. The catalyst of setting up this inquiry concerned the problems of businesses adversely affected by roadworks so that you can be assured that the Government is quite aware and concerned at the problems created by public works.

Unfortunately the Country Roads Act does not currently have any legal provisions for the payment of compensation for loss of trade or custom. I will however keep the problems of businesses in mind when legislation concerning the Gobbo inquiry is contemplated.

That is an example of how people suffer because the Government did not foresee the problems it would create in building the freeway. The time has come to change the attitude of the Country Roads Board and for this power to be transferred to the Minister, who should have the right to act rather than be influenced by the board. Planners, engineers and others who are involved in the planning of freeways see things from a professional point of view but do not consider the effects on people. Freeways affect people. I have experienced a lack of care about people by the Country Roads Board.

**Mr. MACLELLAN** (Minister of Transport): I am closing the debate, I hope, Mr. Speaker. The Bill has attracted the support of the honorable members for Knox, Gippsland East, Keilor, Bundoora, Reservoir, Preston, Rodney, the Leader of the Opposition, the honorable members for Bendigo, Melbourne, Morwell, Midlands, Burwood and Richmond, so it has had a widely canvassed debate. I think in some ways I would not

want the Bill to pass without some comment on the remarks that have been made.

I am grateful to those honorable members who have made constructive remarks and criticisms, but I regret that some members have chosen to take the opportunity of attacking officers of the Country Roads Board, and even to some extent, officers of the Ministry of Transport. I, personally, have no complaint about those people. I think they do good work in difficult circumstances. Certainly, Parliament owes it to them to make the circumstances better and to help them to do a better job.

Briefly, in reply to the remarks of the honorable member for Richmond, I say that I do not believe the Country Roads Board lacks care for people. I think the Country Roads Board officers are bound by rules and legislation of this Parliament, and often where they would like to help they are not able to help; it is often the law, the legislation that we pass, that makes it difficult for them to help.

I turn to the comments of the honorable member for Morwell for a moment. I do not believe the Country Roads Board overrides the wishes of municipalities and people, and rides roughshod over everybody. I think the Country Roads Board tries to do a job well, with limited funds, and with tremendous responsibilities and tremendous challenges. I will have much pleasure in referring the remarks of the honorable members who have contributed to the debate to the Country Roads Board which doubtless will learn something from those members.

I should have thought that honorable members would have taken the opportunity of praising some of the work of the Country Roads Board, of praising some of the country roads in Victoria which are good and which serve people so well, and of hoping we could work for more roads of that quality to serve people. Certainly we have had difficulties

in the metropolitan area in trying to improve roads. There are two extremist approaches; one is to whack freeways through existing communities and rip them apart, with all the damage and dislocation that that causes to delicate fabrics of communities, particularly inner city ones, and the other alternative is to do nothing. Some members lurch from one extreme to another.

If I can take gently the remarks of the honorable members for Knox and Bundoora, I think they were purists. They were very concerned about the fact that the Minister might suddenly become a fanatical dictator, engrossed in his own power. The honorable member for Knox said that the Minister might use it for pork barrelling. I give that to the honorable member for Bundoora because I do not want to pursue the matter in his absence, but I note his comments which were those of a purist.

The honorable member for Gippsland East mentioned a number of matters that he would like to have in his electorate, including the low level connection to the north-east of the State. That is a matter which is of great importance, and one which will have to be carefully looked at and examined, and not one where simple money economics is the answer. We simply do not have the funds available for the Country Roads Board to do all that needs to be done. There has to be with the support and encouragement of this Parliament, a careful balancing and priority setting, and I think that gross pork barrelling, if it can be put that way, "more for me and less for them", is unbecoming to members, and is unbecoming to the Country Roads Board which has the tremendous and difficult responsibility of trying to sort things out.

I think the honorable member for Bundoora overstated the importance of clause 3. It is a pity that the Bill got off on a discussion of that aspect, important though Ministerial responsibility might be. Doubtless I would

be pinned back in this House in relation to my responsibility and in relation to my responsibility to the Country Roads Board. I believe Ministerial responsibility is important and I do not particularly shirk it. I do not expect to have to give many, if any, detailed instructions to the Country Roads Board, and I have no complaints of the level of co-operation I have had from it. I certainly do not accept the remarks made by the honorable member who led for the Opposition, who suggested that because on this occasion we were advertising the position of the Chairman of the Country Roads Board, that somehow expressed a lack of confidence in the existing members of the board, or indeed, in the operations of the board.

It is an instinct, and a first reaction of mine, that where there is a position of this significance to be filled, it should be advertised afield for the best possible applicant, and I would have expected to have had the support of every party in this Parliament for that action. I am surprised that the advertising of the position, and offering it right across the whole parameters of this nation, should be interpreted as some lack of confidence.

I went to the trouble before the position was advertised of discussing it with the deputy chairman, Tom Russell, and I told him that I did not want him to feel that there was any lack of confidence and that I would expect him to be an applicant. In fact, most members in this House would expect that he would be an applicant for the position. I do not know whether he will apply, but I do not want it to slip past us in this House that there is a lack of confidence in the integrity and endeavour, and in the honesty of the Country Roads Board officers who do so much to try to help. Those members who use the roads that the Country Roads Board has provided with the limited funds and finance that are available will, I hope, when they next meet some officers of the

Country Roads Board, take the opportunity of expressing appreciation of the work that has been done, and express the hope that we will be able to give the Country Roads Board more resources to do better.

The honorable member for Keilor established the balance very nicely after the honorable member for Knox had led for the Opposition, because he wants an overpass for his children to cross a four-lane section of highway to get to school. I understand that to him that is important, and I understand that he is a local member making representations for people in his electorate for something badly needed, but I cannot understand why people wish to interpret the debate on this Bill as being an opportunity of attacking the Country Roads Board, to say that it has run roughshod over people, that it has ignored local councils, or that it has put engineering first and people last. I think the Country Roads Board has made every effort to try to strike a proper balance in these matters.

As to the detailed matters honorable members have raised—I am sure they have raised them with complete earnestness representing their electors—many of them ought to be examined. I will ask the board to note those comments and analyse them to see what we can do to help, having regard to the resources that we have and the problems that exist. I do not suppose there is a party in this Parliament that wishes to increase motor registration fees or road charges. Furthermore, I do not suppose there is anybody here—I hope there is nobody here—who wants to score cheap points about the fact that the Commonwealth does collect funds from road tax that are not spent on roads and while the users are paying, the users are not getting the roads they deserve.

I would be the first to acknowledge in answer to the National Party that this Government has also added costs and charges on to the collection of charges from motorists of this State. Let us not pretend it is otherwise. It is that way, and I hope we will see a

rebalancing of that so that more of the charges and collections that are coming from the people, and more of the dollars, are used for building roads that people need today.

I turn for a moment to the general thrust of some of the remarks of the Opposition. It was as if planning was going to be the answer to all problems. The Leader of the Opposition suggested the creation of a Melbourne authority—other honorable members might have suggested a State-wide one—would magically solve all our transport problems. Of the funds that are available to the Country Roads Board, more than \$30 million a year is being spent on purchasing properties for future road works, perhaps for roads which will not be built for many years ahead.

Every time another project is announced, new and genuine cases of hardship have to be met, including deceased estates, people who have been promoted to Public Service positions in Canberra and who want to sell their houses, and similar cases to the one mentioned by the honorable member for Richmond, where somebody's business has been ruined and they just have to be helped out because their property is in the line of some reservation.

These people are now a charge on Country Roads Board funds to the extent of almost \$30 million a year, and as the honorable member for Gippsland South said, that \$30 million a year is not used to create employment or to employ municipal plant and machinery to build the roads that are needed today, so a better balance needs to be struck.

The Bill is aimed at trying to give the Minister an opportunity to do so. I hope on most occasions it will be a public opportunity; I hope I shall never have to withhold from Parliament information about any directions I have to give to the Country Roads Board. I hope when I give the Country Roads Board a direction

that is relevant to Parliament, I will be able to tell the House about it, because the board has a job to do in balancing the conflicting interests in the community. These include the conflicting interests of people who want their communities undisturbed, and others who want to pass through those communities to somewhere else.

It includes the country people who have to move their goods and services to the city and for export. That matter was mentioned by the Leader of the Opposition in his remarks.

Anybody who looks for one-line solutions in transport is kidding himself. The Leader of the Opposition said that the Government has changed its policy, and I am glad it has. I would not want to be the author or the enforcer of the 1969 transport study. I think it is common ground in Parliament that to have proceeded with that transport plan, in view of the maturing and advancing ideas that the community now has, would have been laughable. I wonder why the Opposition goes back to 1969 to set up the sort of Aunt Sally that it can knock down, knowing that the Government has long since publicly declared itself on the matter.

The Leader of the Opposition accused the Government of changing its policy before an election, but what it did not say was that the Opposition changes its policy after an election; that is the difference. When the Government changes its policies, it takes them to the people, but when the Opposition does so, it does not talk about it; it is too embarrassed to talk about it.

When I challenged the Leader of the Opposition to produce the newspaper clippings of reports in which he had attacked the proposed Merri Creek freeway in 1969 when the plan was released, he said, "It is your job to get them, not mine." It is interesting that of all the clippings from all the newspapers that made

up his speech, not one related to his remarks in 1969 when that plan was released. I do not believe he is any different from the rest of us. I believe he, too, has matured and changed his views on that plan and on transport altogether.

I hope the Government will always have an open mind and be willing to change its attitudes to the balances and differences and the serving of the community that we are here to serve, and that we will stop sniping at honest and sincere people who are working under tremendous difficulties, the sincere and worth-while officers of the Country Roads Board and the Ministry of Transport.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Board to be subject to specific directions of Minister).

**Mr. CAIN** (Bundoora): This is the "crunch" provision of the Bill and it is a significant provision. It is regrettable that the Minister did not make some attempt to explain why the provision was being introduced, because it is a matter of some moment.

What is proposed is that the present section 4A, which provides that the Country Roads Board shall be subject to the general direction and control of the Minister, shall be amended to make it perfectly clear that the Country Roads Board shall be subject not just to general direction but also to specific directions given by the Minister. It is implicit in those proposals that the Country Roads Board has not regarded itself as being subject to specific directions or to the control of the Minister. It is time honorable members knew in what respect the Country Roads Board has not been doing what the Minister requests of it.

Parliament is entitled to know, if the authority is exercising power and making decisions beyond those that

the Minister regards as being desirable, what those decisions are. It is not enough for this Bill to be introduced without particulars being given of the reason for its introduction or why it is couched in those terms. I believe the Parliamentary draftsman has been requested to draw an amending Bill designed to combat a public authority that is defying the Government. Honorable members ought to know in what particular it is defying the Government.

If the Minister remains silent and still refuses in the Committee stage to give some indication of what transgression, vice or omission it is desired to combat with this provision, the Opposition is entitled to say with a lot more authority, as it has been saying for some time, that these bodies are running the Government and not the reverse. The people in those authorities, not the Government that is controlling them, are making the decisions that affect the lives of the people in this State.

Silence can go only so far. Unless the Minister can say what is intended by this section, I propose to say again and again both within the Parliament and outside that the Government has something to hide. It is hiding instructions that were given to the draftsman to prepare a Bill which would make it clear that the Government is the boss. We should know why that is necessary. What does the Government have to hide?

Honorable members have put up with this sort of situation for too long—single-purpose authorities doing what they want to do, building empires regardless of what the Government or Parliament says. It is time the Opposition spoke out against them.

The clause was agreed to, as were clauses 4 to 7.

Clause 8 (Impounding of livestock wandering on main roads).

**Mr. AMOS** (Morwell): I call on the Minister and the Government to consider this provision again. It deals

with extending the application to section 73 of the principal Act, which refers to the powers of the Act as they relate to the impounding of cattle that stray on to various roads administered by it.

I refer the Minister to representations made to the Government over the years and to his predecessors, and no doubt the Minister will be aware of those representations, which refer to the necessity of establishing in legislation by statute the same protection for motorists and other users of State highways and roads from problems associated with straying livestock.

Under common law in Victoria at present certain remedies are applicable, but the Minister knows, as we all do, of the difficulties of pursuing common law through the courts to that extent.

The Government ought to give serious consideration to the establishment of a statute which would give a remedy to any person who suffers because somebody has been negligent in allowing livestock to wander on roads.

The speed at which vehicles travel on the roads and the number of roads that have been opened up in country areas with an increasing likelihood of stock wandering on them, indicate the dangers that exist.

I have had at least half a dozen representations from people, some of whom are motor cyclists, who have had the misfortune to be involved in accidents with livestock. They have had difficulty in pursuing compensation in the courts under the Commonwealth provisions. The Government ought to give serious consideration to extending this provision even further.

**Mr. MACLELLAN** (Minister of Transport): I am subject to correction, and perhaps the Leader of the National Party can help me, but I understand that the question of wandering stock and liability has been referred to the Statute Law Revision

Committee which is examining the matter. I may be wrong but I know the matter is under consideration at some Government level. Perhaps I may be confusing it with some other committee, and if so I apologize to the Statute Law Revision Committee.

This provision does not attempt to deal with the problem of a person who has an accident, the recovery of damages, insurance, or the Motor Accidents Board. Its purpose is simply to extend the powers of Country Roads Board officers, who are aware of wandering stock, to round up stock and take action to prevent them wandering not only on State highways as at present provided. Although honorable members agree that the best way to prevent animals from wandering on the roads is to get them off the roads and impound them in a way that will prevent them from again wandering on the roads, if we keep to the positive aspects rather than create extraordinary and expensive cases for recovery of damages from some unknown owner of some unbranded animal, we will avoid a lot of problems and difficulties. When stock wander, often the farmer is the victim of a trespasser who has opened a gate and left it open, sometimes smashing locks and destroying property, to allow the animals to get out. The responsibility arises when the farmer knows the stock is out and he does not take appropriate action to get it off the roads. This measure aims at giving Country Roads Board officers wider powers to impound cattle which may be a danger to motor cyclists and other people using the road. It is an effective and proper action to take whilst awaiting the report from the committee.

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.

### COMMAND PAPER.

**Mr. JONA** (Minister of Immigration and Ethnic Affairs) presented, by command of His Excellency the Governor, the report of the Consultative Council on Congenital Abnormalities in the Yarram District.

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

### SECURITIES INDUSTRY (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of **Mr. MACLELLAN** (Minister of Transport), was read a first time.

### DANDENONG VALLEY AUTHORITY (RECREATIONAL AREAS AND ENVIRONMENTAL AREAS) BILL.

This Bill was received from the Council and, on the motion of **Mr. I. W. SMITH** (Minister of Agriculture), was read a first time.

### ADJOURNMENT.

WATER CHARGES—SPENCER STREET POWER STATION—HAIL DAMAGE IN SUNRAYSIA DISTRICT—SMOKIE'S SMOKEHOUSE CHICKEN—RECIPROCITY FOR VICTORIAN CAR DEALERS—EXEMPTION FROM TRADE UNION MEMBERSHIP—INFANT WELFARE CENTRE SISTERS—HOUSING COMMISSION PROPERTIES—MEMBERS OF PARLIAMENT AND PUBLIC SERVANTS.

**Mr. THOMPSON** (Minister of Education): I move—

That the House, at its rising, adjourn until tomorrow, at half-past ten o'clock.

The motion was agreed to.

**Mr. THOMPSON** (Minister of Education): I move—

That the House do now adjourn.

**Mr. HANN** (Rodney): I wish to raise a matter with the Premier and Treasurer that relates to the announcement in the Budget statement that there will be no increase in water charges. This happened two years ago. Once again, the private diverters are irate because they have been

advised in notices delivered on or about 1st July of increases of 13.5 per cent in charges for private diverters.

The Robinson inquiry into operations of the State Rivers and Water Supply Commission recommended that private diverters should have charges reduced to a level of approximately 70 per cent. So far, the Government has not made a decision on that recommendation. That seems unfair and it is very difficult for these people to understand. The Government makes a statement in the Budget that there will be no increase in water charges next year and the diverters are not able to take advantage of it but are loaded with a 13.5 per cent increase.

I ask the Premier to consider this matter and investigate the possibility of waiving this increase to private diverters. Furthermore, I urge the honorable gentleman as a matter of urgency to consider the recommendation of the Robinson inquiry about charges for private diverters who have to pump their water and also have this added burden on the cost of pumping. There is now near the same cost on other irrigators. I ask the Government to urgently consider a general reduction of a level of preferably 50 per cent but certainly no more than 70 per cent of those water charges to irrigators supplied by gravitation.

**Mr. STIRLING** (Williamstown): I raise a matter with the Minister for Minerals and Energy which concerns question No. 2809 answered by letter of 13th December, 1977, in which I asked the honorable gentleman about the Melbourne City Council reopening the power station in Spencer Street to provide a district heating plant to a certain area in the city of Melbourne. The Minister replied—

As Parliament is currently in recess I wish to advise you in advance that the Melbourne City Council which owns and operates this power house, has not approached either the State Electricity Commission of Victoria or my department for advice on the practicality of such a conversion.

The following item appeared at page 2 in the *Australia Newsletter* of May, 1978, a newsletter produced by the Victoria Promotion Committee—

**City Could Use Wasted Heat.**

A plan to utilize wasted heat energy for heating and cooling in 15 Melbourne city blocks has received tentative approval from a London-based engineering group.

The Melbourne City Council believes it could reopen the near-city Spencer Street Power Station for electricity generation and use the wasted heat for large scale heating and cooling purposes.

Preece, Cardew and Rider of London say the plan is basically feasible and they are now preparing a detailed operating report.

The Melbourne City Council station is a 30-megawatt station fuelled by furnace oil. Many arguments have taken place about the use of furnace oil in the operation of a thermal generator. I also refer to a statement made by the Chairman of the State Electricity Commission in a newsletter in August, 1978, only a few weeks ago—

In recent months the chances of prolonged electricity shortages in Victoria have begun to recede.

In addition to the station's using Victoria's small oil resources, the Chairman of the State Electricity Commission has also indicated that it is no longer necessary to use these old stations. I ask the Minister to have discussions with the Melbourne City Council and ascertain what the council wishes to do.

**Mr. WHITING** (Mildura): I advise the Treasurer that this afternoon a serious hail storm affected dried fruit producers in the Merbein, Mildura and Cardross areas of the Sunraysia district. The early indications are that the situation is not as serious as the disaster which occurred nine days short of twelve months ago in the Red Cliffs area. It seems probable that approximately 50 properties have suffered a 75 per cent loss of their crop. A much firmer estimate of the damage will have been arrived at by tomorrow.

Through the State disaster fund the Treasurer is able to give assistance to these growers, particularly those who have not taken out

hail insurance cover. It must be remembered that the Hail Insurance Fund was completely denuded of funds last year because so much money was lost in the Red Cliffs storm. The new fund has not yet gained the confidence of those growers who might have been able to make use of it. I ask the Treasurer to make available officers of the Treasury or the Department of Agriculture, who can assess the damage fully, so that suitable assistance can be provided where necessary.

**Mr. FOGARTY** (Sunshine): The matter I raise concerns the Minister representing the Attorney-General, the Assistant Minister of Health and the Department of Agriculture. It concerns the Department of Agriculture because it deals with the chicken processing industry and is a matter of concern for the Assistant Minister of Health because the offensive trade regulations deal with sections of that industry.

The *Sunday Press* of 24th September contained an advertisement in the following terms—

Business opportunity in food industry.

The Company Smokie's Smokehouse  
Chicken Pty. Ltd.

Applicants are required to have the following—

1. Suitable working area (approx. 12' x 12')
2. Own transport and telephone
3. Be well established in your own area
4. Sound credit and character reference
5. Reliable working habits

I was suspicious of the advertisement because, through my knowledge of the poultry processing industry, I am aware that poultry is being smoked only in limited numbers. I investigated the company through the Corporate Affairs Office in Queen Street. The advertisement clearly contains the name Smokie's Smokehouse Chicken Pty. Ltd., but I discovered that there was no company of that name. There was a business name registration for Smokie's Smokehouse Chicken, which was number 423896. The address registered was 11 St. James Parade,

Gardenvale, and the nature of the business was given as a processed food manufacturer.

The people listed as proprietors of the business name were Colin Christopher Linz of 1 Mulla Road, Salamander Bay, New South Wales, Allan Duffy of Unit 8, 13-15 Shoal Bay Road, Shoal Bay, New South Wales and Eric Glendenning of 19 Bromley Street, Perth, Western Australia. The document was signed in Newcastle on 24th April, 1978, and the business name commenced on 1st May, 1978. The Victorian agent was listed as Zofia Marczyk of 11 St. James Parade, Gardenvale.

As I have said, certain health regulations apply to the poultry processing industry, particularly those dealing with a working area of 12 ft by 12 ft. I ask the Attorney-General to carry out an investigation into this matter because the advertisement indicated that the firm concerned was a registered company, whereas my investigation of the records shows that it is registered only as a business name. It may well be that the firm is reputable, but the matter requires investigation. I am concerned because I do not believe the industry is engaged in the smoking of poultry to any great extent and because of what my investigations have disclosed.

**Mr. JASPER** (Murray Valley) : I refer to Victorian motor car dealers purchasing vehicles registered in New South Wales. The Premier is aware of the problem, which I raised during the last sessional period and about which I have had correspondence with the honorable gentleman. Victorian dealers who purchase vehicles registered in New South Wales not only have to pay a fee of \$6 to purchase a car, but also have to pay stamp duty of \$2 for each \$100 of the purchase price. They have no reciprocal rights similar to those offered by the Victorian Government to New South Wales dealers who purchase cars registered in Victoria. Those dealers have to pay a fee of only \$6.25.

This matter has been current for a long time and I am aware that the Premier has taken it up with the New South Wales Premier. The honorable gentleman wrote to the Premier of New South Wales on 21st June. I have a copy of that letter, which the Premier sent to me on 27th June, which indicates that the honorable gentleman is seeking reciprocal rights from the New South Wales Government for Victorian dealers. There seems to have been no progress in the matter and the Victorian Automobile Chamber of Commerce has now decided it should take up the matter in other directions.

On 18th August the Victorian Automobile Chamber of Commerce sent a letter to many dealers in Victoria, stating that it had made representations to the Premier and to the Leader of the Opposition, who in turn had made representations to the Premier of New South Wales without success. The letter asked any dealers who have been having trouble—this applies particularly to dealers operating along the border between the two States—to supply details of any dealings in which the New South Wales Government has been pushing for the payment of the stamp duty.

At present the Victorian Automobile Chamber of Commerce believes it may have to launch a High Court challenge in an attempt to rectify this anomaly. However, I believe the Victorian Government ought to be able to exert stronger pressure to have the anomaly removed without having to resort to a High Court action. I ask the Premier how far he has gone in his representations to the Premier of New South Wales and whether he can take the matter further in an effort to obtain some result?

**Mr. COLLINS** (Noble Park) : I raise for the attention of the Minister of Labour and Industry the matter of a decision made yesterday in

Sydney, by Justice Mary Gaudron, a judge of the Conciliation and Arbitration Commission, in which she determined that employees of the Melbourne City Council who are members of the Municipal Officers Association should be given preference in terms of employment, possible retrenchment, lay-off conditions and so on over those employees of the Melbourne City Council who are not members of the Municipal Officers Association.

In the same determination she said that those employees of the council who had a conscientious objection and who obtained a certificate of exemption should be more than covered by this determination. In other words they should not be penalized for being conscientious objectors. However, here we have interesting catch 22 situation whereby, recently, a gentleman, Mr. Kane, who had a certificate of exemption on conscientious grounds was dismissed by the Melbourne City Council. Under the determination by Justice Mary Gaudron he should not have been dismissed but should have been allowed to stay on and join his colleagues who are members of the union and have all the rights that they enjoy.

Justice Gaudron has gone so far as to say that the Municipal Officers Association perceives, and in her view quite correctly, that its failure to attract a high membership level exposes it to the risk that it will be unable to discharge its representative functions properly. I am concerned that a judge of the Conciliation and Arbitration Commission should be—this is a passing commentary—almost touting business for a union. I have no objection to—

**The SPEAKER (Sir Kenneth Wheeler):** Order! The honorable member is getting close to casting reflections on the judiciary and I ask him to be careful how he continues to make his statement.

**Mr. COLLINS:** The last thing I want to do is to cast reflections on the judiciary, although in recent times it appears to have been common practice in this House.

**The SPEAKER:** I ask the honorable member to comply with my suggestion.

**Mr. COLLINS:** I am concerned that Commonwealth legislation permits this kind of determination to be made and that while people with conscientious objections are being told they should enjoy every possible right as do the members of the union, that is not the case in real life. Where does the judge's determination stand? I should like the Minister to look at this matter and take it up with his Federal colleague, the Minister for Employment and Industrial Relations, and also our erstwhile colleague, Mr. Hawke, because with all these determinations, people should be concerned about furthering employment opportunities for the community but if they are thinking of changing the rules for those who have a job already, it is another matter. Many people in the community are legitimately unemployed and have lost their rights to employment. Members of the Opposition profess to be concerned about unemployment yet in fact support some kind of move to enable unions or courts—

**The SPEAKER (Sir Kenneth Wheeler):** The honorable member's time has expired.

**Mr. GINIFER (Keilor):** I raise for the attention of the Assistant Minister of Health the matter of the proposed policies of the new Health Commission regarding qualifications of infant welfare sisters. This matter has been drawn to my attention by the mother's club in St. Albans and by the infant welfare centre in Keilor. In the present day the role of the infant welfare sister is far in excess of what many people have taken it to be—weighing babies and giving minor advice.

Concern is being expressed that the required qualifications may be lowered for infant welfare sisters as a result of the policy of the Health adequate facilities that appear to be creeping into Victoria resulting from a closing down of one of the nursing schools and the upgrading of the Commission or because of the in-training course for Infant welfare sisters.

The other point that these people make is that, in its inquiry and investigations, the Early Childhood Development Policy Committee has not had any direct representation from the Maternal and Child Welfare Branch of the Department of Health to advise it on the matter. Accordingly I ask the Minister to indicate future plans for the training of staff for infant welfare services in Victoria.

**Mr. WILTON** (Broadmeadows): On 23rd August last, I wrote to the Minister of Housing asking whether he would be prepared to make available to me copies of valuations prepared by the Valuer-General's department on two properties owned by the Housing Commission, Nos. 10 and 16 Werona Court, Coolaroo in the Bethal Estate. I repeat that request now and ask whether the Minister is prepared to make copies of those valuations available.

**Mr. CATHIE** (Carrum): I raise with the Minister for Conservation the relationship between members of Parliament and Government departments. It has always been my policy when wanting clarification, for example, of a Bill which is introduced into this House, to telephone senior officers of the Ministry for Conservation and ask for explanations of certain clauses. Equally, in relation to technical matters concerning pollution, I have telephoned officers of the Environment Protection Authority and sought clarification of those matters.

Recently when I rang the Environment Protection Authority seeking clarification of a purely technical matter, I was informed that the

authority could not answer any questions asked by members of Parliament and that I would have to go through the offices of the Minister for Conservation. I therefore ask the Minister whether it is the present position that there are restrictions on members of Parliament and, if so, what is the nature of those restrictions and what guidelines govern the relationship between members of Parliament and Government servants.

**Mr. HAMER** (Premier and Treasurer): The honorable member for Rodney raised the matter of fees for private water diverters and asked whether the recommendations of the Robertson inquiry could be implemented and their fees reduced. I will look into that matter and see what can be done.

The Deputy Leader of the National Party spoke of the hail storm this afternoon in Merbein and Mildura. Arrangements have been made for officers of the Department of Agriculture to assess the damage. It is not clear how much damage has been done or how widespread it is. If it is of the scale which qualifies as a State disaster, all the normal assistance will be available, but at this early stage it is impossible to state the extent of the damage. Like everybody else, I hope it is not too extensive and that it is certainly not the kind of disaster which struck Red Cliffs about this time last year.

The honorable member for Murray Valley referred to stamp duty required by the New South Wales Government to be paid on cars purchased in New South Wales by Victorian dealers for resale here. I have taken up this matter, as the honorable member knows and indicated, with the Premier of New South Wales on several occasions, so far without result. Consideration has been promised, but so far nothing has been done. One answer is not to buy cars in New South Wales for resale in Victoria until this matter has been

settled. I believe there is a case because there is no reciprocity. Victoria does not tax New South Wales dealers who buy cars in Victoria and it would be only right, proper and fair that Victorian dealers receive the same consideration from New South Wales. I will be glad to take up the matter again.

**Mr. BALFOUR** (Minister for Minerals and Energy): I am aware of the matter mentioned by the honorable member for Williamstown. Some time ago Councillor Bernardi who is in charge of electrical undertakings for the Melbourne City Council, proposed that the Spencer Street power station should be used to provide a community heating system. Over the years it has been a common practice overseas, particularly with power stations close to residential and commercial areas, to provide such schemes from large power stations. To try to do this from a station such as the Spencer Street power station would be, I believe, most impracticable and uneconomic. Unfortunately all through this winter oil has had to be used in that station. Had the two units at Newport been constructed, the first in 1976, and hopefully, the second in 1978, the Spencer Street power station would possibly have been closed down by now.

On the remarks by the chairman of the State Electricity Commission, I must admit that during this winter there were some close shaves with power generation. It was only the ability to obtain record production from some of the plants that avoided blackouts. On two occasions there was some load shedding—that happened with Alcoa—so that the rest of the State would not suffer. Hopefully, with the coming into operation of the gas turbines being constructed at Jeeralang, next winter the commission will be in a much better position and will use less oil at the Spencer Street power station than over the past twelve months.

**Mr. THOMPSON** (Minister of Education): I shall be pleased to raise with the Attorney-General the matter raised by the honorable member for Sunshine.

**Mr. RAMSAY** (Minister of Labour and Industry): The honorable member for Noble Park drew the attention of the House to the recent statement of Justice Gaudron on preference for members of the Municipal Officers Association. The matter had come to my attention. Although it is essentially a matter for the Federal Government, it does have considerable bearing on State administration. The people concerned are very much employees of local government, with which this Parliament is particularly concerned. It raises also the vexed issue of preference for unionists and compulsory unionism which, as I intimated last week to the House, is a matter about which I wish to have further discussions. I shall take up the suggestion of the honorable member for Noble Park and consult the Federal Minister for Employment and Industrial Relations to ascertain the full repercussions of the recent statement.

**Mr. JONA** (Assistant Minister of Health): The honorable member for Keilor questioned the adequacy of training facilities for infant welfare sisters. I agree with his comments about the extensive changes in recent years in the role and responsibility of these sisters. For some time, I have expressed concern at the inadequate facilities available through the Victorian College of Advanced Education system to meet the requirements of the Health Commission.

Unfortunately, this has arisen from the fact that the Tertiary Education Commission, under the chairmanship of Professor Karmel, has not agreed to the funding of the type of course which we consider is essential in Victoria. The reason given in correspondence from Professor Karmel is that the Commonwealth is awaiting the outcome of the Commonwealth

nursing inquiry before funds are committed to nursing training courses in the general community health field. Nevertheless, the position has been met partly by the extensive development of in-service training and refresher courses now being carried out by the Health Commission for infant welfare sisters in this State. I should hope that, in 1979, we will see the introduction of adequate courses to meet the requirements for welfare sisters in the coming years.

With respect to the Early Childhood Development Policy Committee, which has been established as a departmental committee within the Health Commission, the maternal and infant welfare services play a most important part in the reporting and investigatory roles of the committee. The infant welfare sisters are well represented on the committee through the inclusion of Dr. Rouch, the Assistant Chief Health Officer, who has a direct responsibility in that area. I assure honorable members and infant welfare sisters generally in Victoria that their interests are very much safeguarded through that representation.

**Mr. HAYES** (Minister of Housing): I was asked by the honorable member for Broadmeadows about a letter he sent to me recently seeking valuations of houses, particularly in the Broadmeadows area, offered for sale. I gather the request related to the Housing Commission, as that was the thrust of the letter. Last week, I wrote to the honorable member and mentioned the various factors that are taken into account when offering a contract price to potential home purchasers. I mentioned also some anomalies that had occurred lately, in the Broadmeadows area particularly. I can only presume that the honorable member has not received my letter.

**Mr. WILTON:** Yes, I have. I want copies of the valuations. Will you make them available?

**Mr. HAYES:** No.

**Mr. BORTHWICK** (Minister for Conservation): Perhaps if the honorable member for Carrum searched

his conscience a little he might find the answer to the question he has asked. Over the years, I have had to deal with a long succession of Opposition members on matters relating to fisheries, land and a wide variety of matters. This type of problem, if it exists, has never existed before with any of the honorable member's colleagues.

When the honorable member for Carrum first developed a public interest in conservation, he called on me in my office. I made it quite clear to him then that I, my office and officers nominated, would be made available to him if he cared to contact me. He has never once done that. He chooses to go about it in a round-about way.

The interesting thing is that the honorable member has a reputation for interpreting incorrectly so-called facts, much to the embarrassment, at times, of officers who have come to me about it. So far as I am concerned, he can adopt the proper forms of the House and the formal approach; then he will get the information he seeks.

**Mr. CATHIE:** What are the proper forms?

**Mr. BORTHWICK:** If the honorable member does not know, he should read the Standing Orders.

The motion was agreed to.

*The House adjourned at 11.4 p.m.*

### QUESTIONS ON NOTICE.

*The following answers to questions on notice were circulated—*

#### MELTON SOUTH PRIMARY SCHOOL.

(Question No. 167)

**Mr. FORDHAM** (Footscray) asked the Minister of Education—

With regard to the Melton South Primary School—

1. What is the present enrolment and what is the planned enrolment in 1979 and 1980, respectively?

2. What is the present size of the school site?

3. Whether the Education Department has received a request from the school council to enlarge the site by purchasing adjoining properties; if so, whether the request is to be granted?

4. When the school will receive an establishment grant for the art/craft centre built early in 1977?

**Mr. THOMPSON** (Minister of Education): The answer is—

|                      |     |
|----------------------|-----|
| 1. Present enrolment | 411 |
| Predicted 1979       | 448 |
| Predicted 1980       | 467 |

2. 3A 1R 28·3P adjoins 9 acres recreation reserve.

3. Yes; the department is endeavouring to purchase additional land from the city council adjoining northern boundary of existing school site.

4. It is not the department's policy to provide establishment grant at schools where the art and craft centre was built fully at departmental expense. The establishment grant used to be paid to schools where a new art and craft centre was built on a special grant basis with substantial local contribution towards its cost.

### TEACHERS.

(Question No. 251)

**Mr. FORDHAM** (Footscray) asked the Minister of Education—

1. How many teachers are engaged in—  
(a) teaching of English as a second language; and (b) multi-cultural education, indicating the number and percentage, respectively, in each case who are working in—  
(i) primary; (ii) technical; (iii) high; and  
(iv) other schools or services?

2. What were the comparable figures on each of the past five years?

**Mr. THOMPSON** (Minister of Education): The answer is—

1. and 2. Statistics for the past five years are not available but a table comparing the number of migrant education teachers employed as at the 29th July, 1976, and the 9th August, 1978, indicates the following—

| Division     | Number | 1976                 | Number | 1978                 |
|--------------|--------|----------------------|--------|----------------------|
|              |        | Equivalent full-time |        | Equivalent full-time |
| Primary ..   | 824    | 588·3                | 826    | 663·1                |
| Secondary .. | 201    | 174·8                | 212    | 192·5                |
| Technical .. | 78     | 69·5                 | 68     | 63·6                 |
| Totals ..    | 1,103  | 832·6                | 1,106  | 919·2                |

Table shows that in terms of equivalent full-time employment the number employed has increased by 86·6. In terms of total numbers there has been no significant increase. There is no doubt that the effective child migrant teacher establishment has been materially improved.

Percentages of migrant education teachers are as follows—

|           |              |
|-----------|--------------|
| Primary   | 72 per cent. |
| Secondary | 21 per cent. |
| Technical | 7 per cent.  |

### UNEMPLOYED TEACHERS.

(Question No. 519)

**Mr. LACY** (Warrandyte) asked the Minister of Education—

1. How many registered teachers are currently unemployed in the—(a) primary; (b) secondary; and (c) technical divisions?

2. How many appropriately qualified primary teachers are currently unemployed in the—(a) migrant; (b) music; (c) physical education; (d) library; and (e) art/craft categories?

**Mr. THOMPSON** (Minister of Education): The answer is—

1. The latest available figures indicate that the numbers of teachers registered for employment are—

|                    |       |
|--------------------|-------|
| Primary division   | 785   |
| Secondary division | 377   |
| Technical division | 175   |
| Total              | 1,337 |

Figures compiled in May indicate that only 10·7 per cent of those registered for employment were willing to teach anywhere in Victoria.

2. All trained primary teachers are expected to be able to work as general classroom teachers, and applications for employment are generally made on this understanding.

However, teachers who have included specialist studies in their training may be deployed in the music, art-craft, physical education, and library fields. Of the 785 teachers currently registered for employment in primary schools' division, only between ten and twenty have indicated preferences for teaching in each of these categories.

There is no special pre-requisite for the employment of migrant English teachers at the primary level, so that there are no teachers on the register who are specifically designated "migrant" teachers.

**SCHOOL MUSIC ROOMS.**

(Question No. 693)

**Mr. FORDHAM** (Footscray) asked the Minister of Education—

1. What regulations are in force to provide for the adequate sound-proofing of music rooms in Victorian schools?
2. What steps will be taken to provide for adequate sound-proofing of music rooms at Mitcham High School?

**Mr. THOMPSON** (Minister of Education): The answer is—

1. Public Works Department advises that there are no regulations.
2. The Public Works Department is preparing a scheme and estimate for the provision of a music block.

A proposal to sound-proof existing buildings for music at the school has been rejected. A new proposal to use a relocatable class-room for music purposes is under consideration.

**ENERGY INVESTIGATIONS.**

(Question No. 794)

**Mr. AMOS** (Morwell) asked the Minister for Minerals and Energy—

What investigations have been made into—(a) the State's coal, oil and gas reserves, respectively, to determine the relative cost of mining various deposits; (b) how many power stations, oil from coal plants, lurgi plants, industrial combines and refineries, respectively, could be supported by these deposits; (c) the likely practical limits of recovery with current technology; (d) the ultimate limits of recovery at which a net positive production of energy would no longer be possible (at whatever the cost); and (e) the availability of water for the power stations, and so on, mentioned above and the likely environmental effects in the general area of the deposit if developed for such purposes?

**Mr. BALFOUR** (Minister for Minerals and Energy): The answer is—

(a) The State Electricity Commission of Victoria, the Gas and Fuel Corporation of Victoria, Australian Paper Manufacturers Ltd., Alcoa of Australia Ltd., and Esso-BHP would be continually assessing the cost of mining its particular resource as part of its long term planning in relation to that resource.

(b) The answer to this part would be dependent on the ratio of these facilities to each other.

(c) (i) Coal—current economically winnable reserves in Latrobe Valley are approximately 35,000 megatonnes. The total resource is approximately 114,000 megatonnes.

(ii) Oil—remaining reserves as at 1st July, 1978, were 1,276 million barrels (202,867 thousand kilolitres).

(iii) Gas—remaining reserves as at 1st July, 1978, were 7.068 trillion cubic feet (200,227 billion cubic metres).

(d) (i) Coal—114,000 megatonnes; (ii) Oil—202,867 kilolitres; (iii) Gas—200,227 billion cubic metres.

(e) Water would be available with appropriate conservation and management, as it is now for existing power stations. It is assumed that the environmental effects referred to, relate to the development of brown coal only.

The State Electricity Commission of Victoria and any other companies permitted to mine the area would be required to carry out an environmental impact study as a necessary part of the required planning process.

**REPORT ON ENERGY.**

(Question No. 795)

**Mr. AMOS** (Morwell) asked the Minister for Minerals and Energy—

In respect of part two of the Report of the Ministry of Fuel and Power on Energy dated March, 1977—

1. Whether this part represents the Government's energy policy?

2. Why the huge coal requirements of the two coal liquefaction plants mentioned in this part do not appear in the part one projections of primary energy requirements?

3. How the natural gas supply shortfalls expected in the 1990 are likely to be met?

4. What contingencies there are to provide motor spirit during interruption or reduction of supplies of Middle East oil before the first proposed coal liquefaction plant is in operation?

5. Whether it has been claimed that the large value of the projected motor spirit consumption in the 1990s really reflects our likely needs; if so, whether this implies the complete dismantling of our public transport system?

6. Whether the continued increase in industrial fuel consumption is likely to lead to still more automation and fewer jobs for unskilled and semi-skilled workers?

7. When nuclear power is likely to become competitive with electricity produced from Victorian brown coal?

8. Why the relative costs of nuclear and brown coal generation changed radically between the hearings of the Public Works Committee during the Loy Yang Coal Reserves Inquiry in 1974 and the presentation of the committee's report to Parliament in 1976?

9. How long Victoria's brown coal reserves are expected to last assuming all oil and gas requirements have to be produced from brown coal from 1990 and the consumption of oil and gas continues to rise as projected in the report of the Ministry of Fuel and Power?

**Mr. BALFOUR** (Minister for Minerals and Energy): The answer is—

1. No.

2. Part two updates part one.

3. There is no shortfall during the 1990s in respect of the annual quantities of gas which are currently estimated to be required by the corporation. However, there may be a shortfall in the delivery required on the days of maximum consumption. It is anticipated that these shortfalls in respect of maximum demand will be made up by—

(a) The development of gas bearing structures containing relatively small quantities of gas within the Bass Strait area which are considered to be uneconomic under present conditions or awaiting appraisal;

and/or

(b) the discovery of additional reserves of gas in Bass Strait;

and/or

(c) the use of peak shaving facilities such as storage of liquefied natural gas;

and/or

(d) the operation of contractual arrangements whereby large industrial customers can use alternative fuels in place of natural gas at times of peak demand.

4. Bass Strait will be capable of meeting motor spirit demand in the period leading up to the operation of a liquefaction plant.

5. It may have been claimed incorrectly. The public transport system will continue to expand into the 1990s.

6. There is no automatic corollary that an increase in industrial fuel consumption leads to increased automation which leads to fewer jobs for unskilled and semi-skilled workers.

1. The "Report on Proposed Extension to State Generating System—Loy Yang Project—1976" presented to the Minister for Fuel and Power by the State Electricity Commission on 26th February, 1976, indicated that nuclear power would not be competitive with the first 4,000 megawatts stage of the Loy Yang power project, which is expected to be completed by the early 1990s.

The need to again evaluate the comparative costs of nuclear power plant and subsequent brown coal fired power plant is not expected to arise for some years.

8. Reasons for the change in relative economics of nuclear power, as compared with that based on brown coal between 1974 and 1976 are detailed on page 66 of the "Report on Proposed Extension to State Generating System—Loy Yang Project—1976" presented to the Minister for Fuel and Power by the State Electricity Commission on 26th February, 1976.

As there are no nuclear power costs presented in the Parliamentary Public Works Committee report to Parliament in 1976, it is presumed that the costs detailed in the report to the Minister for Fuel and Power dated 26th February, 1976, are the ones to which the honorable member refers in his question.

9. "Assuming" is the operative word in this part and any answer given would be hypothetical in view of our constantly changing lifestyles. It is not practical in any state to produce all oil and gas requirements from coal—brown or black.

## HUNTINGDALE HIGH SCHOOL.

(Question No. 890)

**Mr. FORDHAM** (Footscray) asked the Minister of Special Education—

What is the number of—(a) students who speak a first language other than English; and (b) migrant education teachers, at the Huntingdale High School?

**Mr. SCANLAN** (Minister of Special Education): The answer is—

(a) There are 315 pupils whose first language is other than English as follows—

|                          |     |                             |   |
|--------------------------|-----|-----------------------------|---|
| Arabic (Lebanese) ..     | 8   | Chinese ..                  | 4 |
| Greek ..                 | 154 | Greek (Macedonian) ..       | 5 |
| Italian ..               | 72  | Spanish ..                  | 1 |
| Turkish ..               | 1   | Spanish (Latin American) .. | 2 |
| Yugoslav (Croatian) ..   | 9   | Yugoslav (Serbian) ..       | 7 |
| Yugoslav (Macedonian) .. | 2   | Yugoslav (Slovenian) ..     | 4 |

### Others :

|                       |   |                          |     |
|-----------------------|---|--------------------------|-----|
| German ..             | 8 | Portugal (Portuguese) .. | 1   |
| Dutch ..              | 4 | Seychelles (French) ..   | 1   |
| Hungarian ..          | 6 | Russian ..               | 1   |
| French (Mauritius) .. | 3 | India (Hindu) ..         | 2   |
| Polish ..             | 5 | Iran (Persian) ..        | 1   |
| Burmese (Burmese) ..  | 2 | Sri Lanka (Singalese) .. | 1   |
| French (France) ..    | 2 | Denmark ..               | 1   |
| Lithuanian ..         | 2 | Total ..                 | 315 |

(b) There is one migrant education teacher on full-time supported by one full-time and two part-time teachers from the Humanities Department for migrant English work.

**REMEDIAL TEACHERS.**

(Question No. 957)

**Mr. FORDHAM** (Footscray) asked the Minister of Special Education—

1. How many resource or remedial teachers are in—(a) primary schools; and (b) special education units, and what is the ratio of resource or remedial teachers to students in each case?

2. When he expects that there will be enough resource or remedial teachers to deploy one to each primary school of 100–300 students, with proportionately higher allocations for larger primary schools?

**Mr. SCANLAN** (Minister of Special Education): The answer is—

1. (a) None. Remedial teachers are not provided to primary schools. Individualization of instruction is the responsibility of all teachers, supported by special education units.

(b) In officially established centres, accommodated in primary schools, the number of remedial teachers is as follows—

|                                   |             |
|-----------------------------------|-------------|
| (i) Opportunity remedial centres: | 38·8        |
| (ii) Remedial centres             | : 10        |
|                                   | Total: 48·8 |
| Special education units           | : 201       |
| Over-all total:                   | 249·8       |

There are no officially established ratios within the remedial education facilities outlined in (a) and (b). Services are provided according to individual needs of children. In remedial centres and opportunity remedial centres, these could embrace either sessional or withdrawal programmes with ratios varying from 1:6 to 1:12. Admission to these centres follows assessment and recommendation from officers of Counseling, Guidance and Clinical Services Branch.

Teachers in special education units provide services, on request, to children in primary, secondary and technical schools within their respective inspectorates. Visits of these teachers are determined on a needs basis.

2. The major thrust of policy directions in the remedial education area of the Special Education Branch for the next triennium will be towards the completion of a State-wide network of services as originally envisaged by the Remedial Education Committee in its report of 1965. To complete this network of service, a request in the 1978–79 Budget has been made for funds to provide for the establishment of additional special education units and remedial centres.

The present policy of the Education Department is to provide a network of remedial centres and special education units to service groups of schools.

**HOUSING COMMISSION HOMES.**

(Question No. 1051)

**Mr. TREZISE** (Geelong North) asked the Minister of Housing—

For what period after occupation of a newly constructed Housing Commission home, the commission will accept the cost liability of eroded water pipes?

**Mr. HAYES** (Minister of Housing): The answer is—

The commission does not accept responsibility for costs involved in replacing or repairing any defective item in sold houses where such replacements or repair is due to fair wear and tear, normal deterioration or misuse.

No guidelines have been laid down as to what constitutes a normal lifespan for any component. Each case is judged on its merits. This policy applies in the case of eroded water pipes.

**HOUSING COMMISSION STAFF, GEELONG.**

(Question No. 1064)

**Mr. TREZISE** (Geelong North) asked the Minister of Housing—

1. To what degree the maintenance staff of the Housing Commission office at Geelong has been reduced in personnel over the past two years?

2. What is the reason for such reductions?

3. Whether he will give instructions to immediately increase the maintenance staff at Geelong?

**Mr. HAYES** (Minister of Housing): The answer is—

1. The maintenance staff of the commission's regional office at Geelong has been reduced from four to two over the past two years.

2. With a view to keeping down the level of expenditure, the Victorian Government introduced restrictions on the filling of certain vacant offices within the State Public Service.

With effect from 18th May, 1978, the Government determined that the total number of persons employed in each department was not to exceed the number employed on the pay-roll as at that date.

This means that, for the time being, the commission is unable to fill some outstanding vacancies, including the two maintenance supervisor positions at Geelong.

3. It may be some little time before the two maintenance supervisor positions at Geelong are filled.

**HANDICAPPED CHILDREN.**

(Question No. 1067)

**Mr. FORDHAM** (Footscray) asked the Minister of Special Education—

What is the name of each class of handicap suffered by children who have been the subject of a notification by a parent or principal pursuant to section 64E of the Education Act 1958, and how many notifications in each class have been received?

**Mr. SCANLAN** (Minister of Special Education): The answer is—

Children referred to Counselling, Guidance and Clinical Services are grouped for statistical purposes into the broad categories given below. The number of referrals in each category for the year ending June 30th, 1978, is also given.

|                                |    |    |       |
|--------------------------------|----|----|-------|
| Educational retardation        | .. | .. | 2,794 |
| Problem behaviour              | .. | .. | 2,184 |
| Physical and sensory handicaps | .. | .. | 859   |
| Guidance                       | .. | .. | 1,188 |
| Placement                      | .. | .. | 659   |
| Attendance                     | .. | .. | 193   |
| Other                          | .. | .. | 450   |

It is not possible to identify which (if any) of these new referrals have been made pursuant to section 64E of the Education Act 1958, but the sources of the above referrals were as follows—

|                                    |      | per cent. |
|------------------------------------|------|-----------|
| Schools                            | 5501 | (66.0)    |
| Parents                            | 656  | (7.9)     |
| Other Education Department sources | 536  | (6.4)     |
| Medical agencies                   | 960  | (11.6)    |
| Mental Health Authority            | 47   | (0.6)     |
| Other :                            |      |           |
| Social Welfare Agencies            | 70   | (0.8)     |
| Department of Health               | 37   | (0.4)     |
| Clinics                            | 320  | (3.8)     |
| V.I.S.C.C.A.                       | 14   | (0.2)     |
| Various sources                    | 186  | (2.3)     |
|                                    | 8327 | (100.00)  |

**SPECIAL SCHOOLS.**

(Question No. 1070)

**Mr. FORDHAM** (Footscray) asked the Minister of Special Education—

What is the name of each special school which has been (a) established; (b) maintained; (c) extended; or (d) discontinued, pursuant to section 64B of the Education Act 1958, and what was the number of places added or lost in each case?

**Mr. SCANLAN** (Minister of Special Education): The answer is—

Schools for the physically and sensorily handicapped—

- (a) St. Albans Deaf Unit.
- (b) Victorian School for Deaf Children.  
Princess Elizabeth Junior School.  
Monnington.  
Ewing House.  
Glendonald.  
Nepean.  
Alfred Hospital.  
Austin Hospital.  
Marathon.  
Royal Children's Hospital.  
Yooralla Balwyn.  
Yooralla Glenroy.  
Shannon Park.  
Janefield Deaf Unit.  
Kew Cottages Deaf Unit.

- (c) Victorian School for Deaf Children.

- (d) Carronbank School for Partially Sighted Children.

Places added: 6—Victorian School for Deaf Children.

Places lost: 18—St. Albans Deaf Unit.  
10—Carronbank School for Partially Sighted.

Special Developmental Schools—

- (a) Balwyn S.D.S.  
Djerriwarrh (Melton) S.D.S.  
Heidelberg and District S.D.S.  
Milparinka (Parkville) S.D.S.  
Milparinka (Sth. Melb.) S.D.S.  
Nadrasca (Nunawading) S.D.S.  
Oakleigh S.D.S.  
Urimbirra (Noble Park) S.D.S.  
Wyndham (Werribee) S.D.S.  
Woorinyan (Frankston) S.D.S.  
Yarrabah (Aspendale) S.D.S.  
Cobram S.D.S.  
Kallenmondah (Seymour) S.D.S.  
Kyndalyn (Maffra) S.D.S.  
Mirridong (Yarram) S.D.S.  
Numurkah S.D.S.

- (b) As above.

- (c) Nil.

- (d) Nil.

Places added : 96

- 4 Balwyn
- 8 Yarrabah
- 3 Cobram
- 12 Woorinyan
- 8 Numurkah
- 8 Milparinka (Parkville)
- 8 Milparinka (South Melbourne)
- 9 Djerriwarrh
- 9 Wyndham
- 5 Nadrasca
- 17 Urimbirra
- 3 Heidelberg
- 1 Mirridong
- 1 Kyndalyn

Places lost : .. 7 Oakleigh Special Development School

## Schools for the intellectually handicapped

- (a) Ashwood  
Ballarat  
Broadmeadows  
Bulleen  
Croxton  
Dandenong  
Fitzroy  
Geelong  
Janefield  
Kalianna  
Kew  
Mitcham  
Moe  
Montague  
Moorabbin West  
Naranga  
Ormond  
Stawell  
Rosamond  
St. Albans  
Shepparton  
Vermont South  
Watsonia

(b) As above

- (c) Broadmeadows  
Croxton  
Geelong  
Janefield  
Kalianna  
Kew  
Mitcham  
Moorabbin West  
Ormond  
Rosamond

(d) Nil

Places added : .. 24 Broadmeadows  
24 Croxton  
24 Geelong  
100 Janefield  
24 Kalianna  
36 Rosamond  
Sessional services of varying duration have been provided for approximately 600 residents at Kew.

Places lost : .. Nil.

Montague—change of function, now Continuing Education Centre for Senior Intellectually Handicapped Children.  
Schools for the socially and emotionally handicapped

- (a) Bayswater Youth Training Education Centre.  
Castlemaine Prison Education Centre.  
(b) Travancore Special School.  
Allambie Special School.  
Baltara Special School.  
Hillside Special School.  
Basin Boys' Special School.  
Glenmore Special School.  
Tally Ho Special School.  
Langi Kal Kal Youth Training Education Centre.  
Malmsbury Youth Training Education Centre.  
Turana Youth Training Education Centre.  
Winton Youth Training Education Centre.

Ararat Prison Education Centre.  
Beechworth Training Prison Education Centre.  
Bendigo Training Prison Education Centre.  
Pentridge Prison Education Centre.  
Fairlea Female Prison Education Centre.  
Geelong Training Prison Education Centre.

(c) Nil.

(d) Maglin Special School.  
Ballarat Childrens Home Special School.

Places added; places lost—Services provided within Social Welfare Institutions are subject daily to sweeping fluctuations in enrolment. It is not possible or practical to provide this information.

**SPOTSWOOD PRIMARY SCHOOL.**

(Question No. 1100)

**Mr. FORDHAM (Footscray)** asked the Minister of Education—

In regard to the Spotswood Primary School—

1. When it is intended to replace the existing children's toilet block?
2. When staff toilets will be made available?
3. When an adequate sized staff room will be provided?
4. When it is proposed to provide an art/craft room that will allow a whole class rather than the present half class to use the facility?
5. What additional storage facilities are planned for the school and when they will be provided?
6. What additional office/administration space is to be provided and when?
7. When a sick bay will be provided?

**Mr. THOMPSON (Minister of Education)** The answer is—

At present a priority exists on the western metropolitan region's building priority list for an art/craft room and upgrading of facilities. However in view of the priority allocated and the limited funding available for major works it is not possible to predict when this project will proceed. All the seven facilities mentioned in this question will be included with the project.

**ALPHINGTON PRIMARY SCHOOL.**

(Question No. 1139)

**Mr. FORDHAM (Footscray)** asked the Minister of Education—

With regard to the provision of a new library at Alphington Primary School—

1. When construction originally was planned to commence?

2. What is the reason for the delay?
3. When construction will be completed?

**Mr. THOMPSON** (Minister of Education): The answer is—

This library is to be a four modular relocatable unit.

1. Originally the library was due to be provided in May, 1978.

2. The reason for delay was that the manufacturer went into receivership.

3. The expected delivery date is now late October—early November, 1978.

### LAVERTON PRIMARY SCHOOL.

(Question No. 1140)

**Mr. FORDHAM** (Footscray) asked the Minister of Education—

What response has been given by the Education Department to the request for assistance in May, 1978 by the school council of Laverton primary school (Epsom Street) concerning traffic conditions surrounding the school?

**Mr. THOMPSON** (Minister of Education): The answer is—

In response to the school's request this department's safety officer visited the school on the 10th August, 1978, to discuss the problem. The vice principal was advised that the matter was not within the jurisdiction of the Education Department, but rather that of the local council.

### NORTH GEELONG PRIMARY SCHOOL.

(Question No. 1156)

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

1. Whether it is accepted that the lack of an external fire escape from the upper storey class-rooms of the North Geelong Primary School is an extremely dangerous situation; if so, whether the provision of such a facility was assured to the school committee for 1978?

2. What is the reason for the lack of action with the project and when the fire escape will be installed?

**Mr. AUSTIN** (Minister of Public Works): The answer is—

1. Yes.

2. First request was received from the Education Department in May 1977. After architectural and structural investigation, a report and estimate was submitted in January, 1978. Approval to install a fire escape was received on 8th September, 1978. Work will be completed for start of 1979 school year.

### SCHOOLS IN GEELONG NORTH.

(Question No. 1157)

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

Which schools in the electoral district of Geelong North have been approved for maintenance work, indicating the details in each case and when such works will be undertaken?

**Mr. AUSTIN** (Minister of Public Works): The answer is—

Subject to availability of funds, the following works are proposed for commitment during the last quarter of 1978—

Corio Primary School; cyclic maintenance (architectural only).

Geelong North Primary; fire escape stairs.

Bannockburn Primary; additional toilet.

Norlane High School; floor coverings.

Corio Primary School; drinking troughs.

Norlane High School; Remodelling for Staff Toilets.

Bell Park High School; Cyclic Maintenance—Caretaker's Residence.

Again subject to availability of funds and depending on the allocation of priorities by the Education Department, the following works have been approved—

Norlane Primary School; cyclic maintenance (architectural, electrical and site-works).

Geelong Special School; cyclic maintenance (architectural and site-works).

### HOUSING COMMISSION PROPERTIES.

(Question No. 1191)

**Mr. WILTON** (Broadmeadows) asked the Minister of Public Works—

1. What price the Government received for the Housing Commission building situated at 179 Queen Street, Melbourne?

2. Who was the purchaser, whether the sale was by tender and whether he will lay on the table of the Library the file relating to the sale?

3. What is the rental of the new Housing Commission offices in Myer House?

4. Whether the Government has leased back office space in the former Housing Commission building; if so, what percentage of the floor space is being leased and at what cost?

**Mr. AUSTIN** (Minister of Public Works): The answer is—

1 and 2. The property at 179 Queen Street was sold by the Victorian Public Offices Corporation subsequent to a public

auction. Details of that sale were notified to Parliament in May 1978 pursuant to the provisions of Section 9 (2) of the Victorian Public Offices Corporation Act 1974—No. 8626.

3. It is not the practice of my department to release details of specific rentals paid as such information may prejudice the department in rental negotiations for other premises.

4. The Government has not leased back any space in this building.

### CITY OF BROADMEADOWS.

(Question No. 1294)

**Mr. CULPIN** (Glenroy) asked the Minister for Minerals and Energy, for the Minister for Local Government—

When the redistribution of the City of Broadmeadows will take place and how many wards will be established under the new boundaries?

**Mr. BALFOUR** (Minister for Minerals and Energy): The answer supplied by the Minister for Local Government is—

It is anticipated that a re-subdivision of the municipal district of the City of Broadmeadows will take place in time for the 1979–1980 annual election of councillors.

Following the recent decision to sever portion of the municipal district of the City of Broadmeadows and annex it to the City of Essendon, the council, on 29th August, 1978, was invited to make an application under section 23 of the Local Government Act 1958 for re-subdivision of the municipal district. That application has not yet been received.

It is not known how many wards will be established under a proposed re-subdivision as that is a matter firstly, for the council's application, secondly, for consideration by the Local Government Advisory Board and thirdly, for consideration by me of the recommendation which I should make to the Governor in Council following receipt of the board's report.

### USE OF HIRE VEHICLES BY HOUSING COMMISSION.

(Question No. 1309)

**Mr. WILTON** (Broadmeadows) asked the Minister of Housing—

Whether the Victorian Housing Commission is using private hire vehicles at any establishment controlled by the commis-

sion; if so—(a) from what company the vehicles are hired; (b) how many vehicles are hired and what are the hiring rates; (c) what officers or persons have the use of the hired vehicles; (d) what has been the cost to the commission to date; and (e) how long it is intended to continue this practice and for what reason?

**Mr. HAYES** (Minister of Housing): The answer is—

Yes—by Holmesglen Constructions.

(a) Kay Rent-a-car and Astoria Rent-a-car.

(b) Fifteen. Fourteen light vehicles at rates between \$200 and \$265 per month; one special purpose van at \$573 per month plus 6 cents per kilometre in excess of 1,500 kilometre per month.

(c) Seven vehicles are allocated to staff involved on the contract to insulate H.C.V. houses throughout Victoria. The rest are pooled and used mainly by the construction division of Holmesglen Constructions.

(d) 1977–78—\$9,439.49.

1978–79—(to 30th September, 1978, \$12,000.00 approximately). That is about 1.6% of Holmesglen's 1978–79 transport budget.

(e) Until 30th September, 1978.

Approval has been given for the purchase of eight additional vehicles to the fleet. In conjunction with a down-turn in activity due to budgetary cut-backs, the need for hire vehicles should no longer exist.

### HOLMESGLEN FACTORY VEHICLES.

(Question No. 1310)

**Mr. WILTON** (Broadmeadows) asked the Minister of Housing—

1. How many prime-movers and heavy-duty trailers have been purchased by the Holmesglen factory operated by the Housing Commission in the past five years, giving in respect of each year, the number and make and the individual cost?

2. How many prime-movers and heavy-duty trailers have been sold by the Holmesglen factory in the past five years giving the number and make for each year, indicating—(a) what mileage was registered for each prime-mover; (b) what price was received for each item sold; (c) who was the purchaser; and (d) what method was used to bring about each sale?

**Mr. HAYES** (Minister of Housing): The answer is—

**1. Eight prime-movers and five heavy duty trailers—**

| Year       | Number | Make                              | Cost      |
|------------|--------|-----------------------------------|-----------|
|            |        |                                   | \$        |
| 1973-74 .. | Nil    |                                   |           |
| 1974-75 .. | Nil    |                                   |           |
| 1975-76 .. | 1      | International prime-mover .. .. . | 22,703    |
| 1976-77 .. | 1      | International prime-mover .. .. . | 24,195    |
| 1977-78 .. | 5      | International prime-mover .. .. . | 30,047    |
|            |        |                                   | 30,511    |
|            |        |                                   | 3@ 30,780 |
| 1978-79 .. | 1      | International prime-mover .. .. . | 32,500    |
|            | 1      | Kreuger Transporters .. .. .      | 12,329    |
|            |        |                                   | each      |

**2. Eight prime-movers and nine trailers—**

| Year       | Unit                         | Mileage | Price received   | Purchaser                 | Method of sale         |
|------------|------------------------------|---------|------------------|---------------------------|------------------------|
|            |                              |         | \$               |                           |                        |
| 1973-74 .. | Nil                          |         |                  |                           |                        |
| 1974-75 .. | International prime-mover .. | 62,000  | 2,500            | Murray Valley Proteins .. | Government auction at  |
|            |                              |         |                  | Tottenham                 |                        |
| 1975-76 .. | Nil                          |         |                  |                           |                        |
| 1976-77 .. | AEC Leyland prime-mover ..   | 94,500  | 2,900            | A. J. Smith ..            | Government auction at  |
|            |                              |         |                  |                           | Tottenham              |
| 1977-78 .. | Nil                          |         |                  |                           |                        |
| 1978-79 .. | 1966 AEC Leyland ..          | 75,000  | 3,100            | J. Scott ..               | Government auction at  |
|            |                              |         |                  |                           | Tottenham              |
| 1978-79 .. | 1965 AEC Leyland ..          | 72,000  | 2,250            | Capron, Geelong ..        | Government auctions at |
|            |                              |         |                  |                           | Tottenham              |
| 1978-79 .. | 1962 AEC Leyland ..          | 37,500  | 3,100            | N. Beechy, Preston ..     | Government auction at  |
|            |                              |         |                  |                           | Tottenham              |
| 1978-79 .. | 1968 AEC Leyland ..          | 71,000  | 2,200            | Gozzimo Brothers, Don-    | Government auction at  |
|            |                              |         |                  | caster                    | Tottenham              |
| 1978-79 .. | 1964 AEC Leyland ..          | 81,000  | Not yet known .. |                           | Government auction at  |
|            |                              |         |                  |                           | Tottenham              |
| 1978-79 .. | 1964 AEC Leyland ..          | 66,500  | Not yet known .. |                           | Government auctions at |
|            |                              |         |                  |                           | Tottenham              |
|            | Trailers (7) ..              |         | 500 each         | Kreuger Transporters ..   | (trade in)             |
|            | Trailer ..                   |         | 4,500            | Kreuger Transporters ..   | (trade in)             |
|            | Trailer ..                   |         | 1,500            | Kreuger Transporters ..   | (trade in)             |

NOTES—1. Method of purchase in all cases was by tender. The lowest tenderer in all cases winning supply.

2. Vehicles bought to replace 1962-68 models.

3. Trailers bought to replace 1959-72 stock which in most cases were damaged beyond reasonable repair.

4. Low loader trailers purchased to optimize fleet and bring down the number of heavy vehicles possessed from 21 to 13. This will eventuate over next three to six months.

**SPECIAL SERVICES, EDUCATION DEPARTMENT.**

(Question No. 1318)

**Mr. FORDHAM** (Footscray) asked the Minister of Special Education—

1. What regular services are provided by the Counselling, Guidance and Clinical Services Branch of the Special Services Division of the Education Department in the Horsham region?

2. What criteria are used in the allocation of psychologists and social workers—(a) between central office and regional services; and (b) between regions?

**Mr. SCANLAN** (Minister of Special Education): The answer is—

1. A group of guidance officers and social workers spend one full week each school term in the Horsham area.

2. Since for many years there has been a shortage of guidance officers and social workers in the Education Department, there have been no structures which determine the allocation of such people. Whenever trained personnel were available they were used. However, the Teachers Tribunal is at present examining structures for counselling, guidance and clinical services and these new structures should provide guidelines for the future allocation of specialist staff.

## **PROPOSED MOOROOPNA PARK PRIMARY SCHOOL.**

(Question No. 1335)

**Mr. FORDHAM** (Footscray) asked the Minister of Education—

In regard to the proposed Mooroopna Park Primary School—

1. Whether a site has now been acquired for the school?

2. When the school will be established?

**Mr. THOMPSON** (Minister of Education): The answer is—

1. A site in MacIssac Road, Mooroopna was acquired on 16th June, 1978.

2. Department officers and the interim planning committee held a meeting on 13th September, 1978. A further meeting to discuss detailed planning for the school will be held in the near future.

## **Legislative Assembly.**

*Wednesday, September 27, 1978.*

The **SPEAKER** (**Sir Kenneth Wheeler**) took the chair at 11.4 a.m. and read the prayer.

### **ABSENCE OF MINISTER.**

The **SPEAKER** (**Sir Kenneth Wheeler**): I have to announce that the Minister of Immigration and Ethnic Affairs is absent on Government business.

### **QUESTIONS WITHOUT NOTICE.**

#### **UNEMPLOYMENT.**

**Mr. WILKES** (Leader of the Opposition): Is it the intention of the Premier to hold a conference on unemployment without the co-operation of his colleague, the Prime Minister, and the Federal Government? If so, how does he propose to deal with the problem of unemployment without first seeking from his colleagues in the Federal Parliament an assurance that they will change their policy, which the Prime Minister says will be maintained irrespective of the effect of that policy on unemployment?

**Mr. HAMER** (Premier and Treasurer): The Leader of the Opposition is not accurate in his suggestion. What is proposed is a conference on structural change in youth employment, which is somewhat different from an examination of unemployment generally. I make it quite plain that I believe the conference should be held at national level. I did propose to the Prime Minister that a national conference should be held which would involve industry, trade unions, governments at all levels, community groups, people from universities and anyone with something to contribute to the whole problem of changes brought about by automation and computers. It is not just the problem of people being displaced from their traditional jobs, but also the prospect of creating new jobs and new skills. It is the task of the Government at State level, as I see it—

**Mr. FORDHAM**: Is this a Ministerial statement?

**Mr. HAMER**: No, it is an answer to the question. As I see it, it is the task of the Government to make sure that its education and training programmes are relevant to the employment situation in the future and also that the social structure, particularly in relation to matters such as retirement, long service leave, leisure time activities, and so on, are relevant. Therefore, the answer is that the conference will not examine the immediate problem of unemployment so much as the long-range aspects of structural change, especially on the youth of the nation.

#### **ACQUISITION OF PROPERTY.**

**Mr. ROSS-EDWARDS** (Leader of the National Party): Will the Premier advise the House whether the Government has any evidence that documents are missing from the files relating to the Albury-Wodonga (Victoria) Corporation in relation to properties of W. J. Phillips, D. A. Wallace and L. K. and M. S. Wheeler? If there is any evidence of documents missing from the files, what steps does

the Government propose to take to investigate the alleged removal of the documents?

**Mr. HAMER** (Premier and Treasurer): I have no knowledge of any documents missing from those files. If there are, of course, appropriate action will be taken. I shall have inquiries made.

### PRISON ESCAPES.

**Mr. WOOD** (Swan Hill): In view of the recent escapes from custody by prisoners, has the Minister for Social Welfare any plan to overcome the problem?

**Mr. DIXON** (Minister for Social Welfare): I have never said that no problem exists relating to prison escapes. The Government has done its best to reduce to an acceptable minimum the number of escapes that occur.

**Mr. GINIFER**: What is the acceptable minimum? There is no such thing.

**Mr. DIXON**: The honorable members says that there is no acceptable minimum. When there are minimum security prisons, from time to time, for a variety of reasons, prisoners will take advantage of having an environment different from a high security prison and walk out. That is something with which the prisons administration must live if prisoners are to be returned to the community as citizens with a chance of maintaining their citizenship outside the prison.

Many factors relate to prison security. In that sense, I congratulate the prison officer service of Victoria on the magnificent job it has done. The Leader of the Opposition asked a question of the Premier about unemployment—

**The SPEAKER** (Sir Kenneth Wheeler): Order! The honorable member for Swan Hill has asked a question of the Minister. The question asked by the Leader of the Opposition to the Premier has been answered. The Minister should concentrate on answering the question asked by the honorable member for Swan Hill.

**Mr. DIXON**: Thank you Mr. Speaker. There is some relevance in my answer because it involves the employment of additional prison officers. I am very pleased to announce to the House that we have had an extensive examination of overtime and penalty rates operating in the prison service. We find that something like \$2.8 million is spent in overtime and penalty rates. Of this \$854,000 enables us to man 52 additional posts permanently on overtime. I do not believe this is a desirable way in which to use overtime payments. Therefore, I have talked to the Premier and Treasurer and he has approved the allocation of an additional 52 prison officers to the State prison service. In addition—

**Mr. FORDHAM** (Footscray): On a point of order, Mr. Speaker. Quite clearly you have indicated in the past that question time is not an occasion for a Minister to be able to make a Ministerial statement or a press announcement.

**Mr. DIXON**: It is not a press announcement.

**Mr. FORDHAM**: Of course it is a press announcement. What rubbish!

**The SPEAKER** (Sir Kenneth Wheeler): Order! A question has been asked by the honorable member for Swan Hill and I take it that the Minister believes that the way in which he is answering it is necessary. I appreciate the fact that on a number of occasions I have requested both honorable members who ask questions and Ministers who answer them to be brief. I hope the honorable gentleman will comply with that request.

**Mr. DIXON** (Minister for Social Welfare): In addition, there will be a savings of funds in the additional 52 places created, of the order of \$112,000. That will enable between eight and ten additional prison officers to be employed, making a total of between 60 and 62 prison officers. I would encourage all Government departments throughout Australia—

**Mr. WILKES** (Leader of the Opposition): On a point of order, Mr. Speaker, this is outrageous.

**The SPEAKER (Sir Kenneth Wheeler):** Standing Order No. 127 reads—

In answering any question a member shall not debate the matter to which the same refers.

That is what the honorable gentleman is doing now.

**Mr. FORDHAM:** Giving advice to other Ministers; what rubbish!

**The SPEAKER:** I have found it necessary to rebuke honorable members on two occasions in the short time that we have had Question Time. I ask them to remain silent unless they are asking questions.

**Mr. DIXON (Minister for Social Welfare):** Secondly, to consider all of the ramifications that may be made possible by examining overtime and penalty rates, and to substitute those for the employment of people. Sixty additional prison officers—

**Mr. WILKES (Leader of the Opposition):** Mr. Speaker, on a point of order, your ruling is clearly being defied by the honorable member.

**Mr. DIXON:** It is a question of prison security.

**The SPEAKER:** The Minister has adequately answered the question that was asked by the honorable member for Swan Hill. I uphold the point of order on the ground that the Minister is now debating the matter. If the honorable gentleman has anything to add in respect to that question, he may say it; if not, that is the end of the matter.

**Mr. DIXON (Minister for Social Welfare):** Prison security demands the co-operation of prison officers within the administration and in this addition of some 60 prison officers—

**Mr. ROPER:** Fifty-two.

**The SPEAKER:** The Minister said 52, and then he mentioned a further \$112,000 which added eight more.

**Mr. DIXON:** Prison security is essential for the administration, and the prison officers are in accord. In a move of this type I am pleased to

say that the prison officers have unanimously agreed with this move and there will be no unrest as far as they are concerned, and therefore I believe the security between prisons throughout the State will be enhanced.

## UNEMPLOYMENT.

**Mr. FORDHAM (Footscray):** Following the question asked by the Leader of the Opposition of the Premier regarding his announcement that a national conference would be held to deal with some aspects of unemployment and the future structure of Australian industry, will the Premier give an assurance that the conference will be fully representative of the relevant community groups, and in particular, will he ensure that the Australian Labor Party is invited to participate?

**Mr. HAMER (Premier and Treasurer):** I make it perfectly plain that a conference of this type will not succeed if it is turned into some kind of political arena.

**Mr. FORDHAM:** Or if it is partisan.

**Mr. HAMER:** It will not succeed unless all groups who can make a contribution try to do so. Members of the Australian Labor Party will not be excluded. If they have a contribution to make, they will be welcome to attend. It must be done on a non-partisan basis or it will not succeed.

This is precisely the view, among others, expressed by the President of the Australian Council of Trade Unions and, I believe, also by the Leader of the Opposition. I hope he will stand by his word and take part properly in this discussion, and that he will not attempt to make a political arena out of the conference and the working parties which will flow from it.

## SCHOOL AUDIT FEES.

**Mr. WHITING (Mildura):** Now that the details of the Budget have been made public, can the Minister of Education inform the House whether the anomaly that had been created in primary school councils

over fees charged for auditing their books has been remedied by the provision of additional funds for this purpose?

**Mr. THOMPSON** (Minister of Education): Yes, that anomaly has been rectified, and details of the manner in which it has been rectified will be sent to primary schools at an early date.

#### **NATIONAL FITNESS COUNCIL.**

**Mr. McLAREN** (Bennettswood): I direct a question to the Minister for Youth, Sport and Recreation. As a former member of the National Fitness Council I should be interested if the honorable gentleman would advise the House why the National Fitness Council of Victoria has been integrated into the Department of Youth, Sport and Recreation. Further, does the Minister envisage the possibility of members of non-Government organizations advising the department on these matters?

**Mr. DIXON** (Minister for Youth, Sport and Recreation): The Department of Youth, Sport and Recreation has taken over the National Fitness Council of Victoria, which has played a tremendous part in the development of recreational activities and opportunities throughout the State for a long time. The camping facilities and family and youth camps that have been developed by the council have been most rewarding to all the people who have been fortunate enough to participate in those activities.

That has largely been made possible by co-operation between the National Fitness Council, which was subsidized by the Department of Youth, Sport and Recreation and the Government, with volunteer groups.

The new Recreational Development Division of the department will find the same co-operation between voluntary organizations and the Government, and has set up a State Recreation Council consisting of 25 people, most of whom were members of the original National Fitness Council.

Therefore the service which was delivered by the National Fitness Council will also be adequately rendered by the new Recreational Development Division of the Department of Youth, Sport and Recreation.

Basically, the reasons for the change are that it will provide much better administration, better utilization of the over-all staff within a plan, and better use of the capital facilities such as vehicles that would be used between the department and the National Fitness Council.

There is some loss in the sense that the National Fitness Council will no longer be seen as being entirely separate from the Government. However, the gains that have been achieved are worth-while.

#### **TAMAR HOLDINGS PTY. LTD. LAND PURCHASE.**

**Mr. SIMPSON** (Niddrie): Following the question I directed to the Premier yesterday which he answered by saying that he needed certain additional documented information, which I made available to him later that day, can the honorable gentleman now inform the House whether he instructed the former Minister of Housing, Mr. Dickie, to look at the names of the vendors in the transfer of land at Sunshine from Tamar Holdings Pty. Ltd. to the Housing Commission to see if any leading members of the Liberal Party were involved, as he did over the sale of land at Melton?

**Mr. HAMER** (Premier and Treasurer): The document to which the honorable member referred was part of a transcript of evidence given by the Honorable Mr. Hunt to the Gowans inquiry. Regarding the other transaction, as I recall, it was principally directed and supervised by the Honorable Mr. Uren, and I certainly gave him no similar advice.

#### **AIR-CONDITIONING OF POLICE STATIONS.**

**Mr. JASPER** (Murray Valley): I refer the Chief Secretary to a statement made last year by the former

Chief Secretary that all police stations north of an imaginary line from Lakes Entrance through to the South Australian border near Goroke, would be air-conditioned. I ask the Chief Secretary what progress has been made in air-conditioning these police stations and when it is expected that this programme will be completed.

**Mr. RAFFERTY** (Chief Secretary): I recall mention of that subject some time ago by the former Chief Secretary. I am unable to give the honorable member the details he has asked for. I will, however, make it my business to obtain the information and let him know as soon as possible.

#### **TOTALIZATOR AGENCY BOARD DIVIDENDS.**

**Mr. SKEGGS** (Ivanhoe): With a view to further suppressing and discouraging the operations of illegal off-course bookmakers, will the Minister for Youth, Sport and Recreation examine the advisability of allowing same day payments of dividends from the Totalizator Agency Board as applies in New South Wales?

**Mr. DIXON** (Minister for Youth, Sport and Recreation): When the decision was made on the operations of the Totalizator Agency Board in that regard, I think the reasons advanced by the honorable member for examining the matter were the reasons given at the time for not adopting that practice, and the fact that there could be some sort of gaming shop atmosphere surrounding the Totalizator Agency Board. Nevertheless, as the honorable member has raised the matter, I will seek advice from my department and from the Totalizator Agency Board as to their respective views on the subject.

#### **POLICE RECRUITMENT AGE.**

**Mr. EDMUNDS** (Ascot Vale): Is the Premier aware that the recruiting regulations of the Police Force contravene the Equal Opportunity Act in respect to recruitment of police women who must be aged a minimum

of twenty years as against policemen, who must be eighteen and a half years of age? Can he advise the House what action the Government intends to take to ensure that the Equal Opportunity Act is complied with, both in the spirit and the letter of the law?

**Mr. HAMER** (Premier and Treasurer): To my knowledge, the Equal Opportunity Board has drawn this matter to the attention of the Chief Commissioner of Police. I know the Chief Commissioner is considering the matter, and as the honorable member will recollect, the whole purpose of the Act is to resolve these matters by discussion as far as possible. I am not aware of the outcome, but I know the matter is being considered and that the Chief Commissioner of Police acknowledges that there is a discrepancy in the recruiting age of men and women and he is examining the whole matter.

#### **SCHOOL LANGUAGE PROGRAMME.**

**Mr. LACY** (Warrandyte): Is the Minister of Education aware of the increasing preference by students to be taught a language other than English in the normal school programme? Can he inform the House which languages are currently being taught in schools, how many teachers are involved in teaching these languages other than English, and to what extent this need is being met currently?

**Mr. THOMPSON** (Minister of Education): Any effective educational system takes account of what is happening in the outside world, and with Australia's mass migration programme in the post-war decades, it has moved towards the multi-cultural society.

Originally, French and Latin, some Ancient Greek, and perhaps a smattering of German were the languages that were taught. In recent times, however, there has been a marked change. Within our 300-odd high schools at present French is being

taught in 325, German is being taught in 115, Italian is being taught in as many as 159, Indonesian in 48, modern Greek in 23, Japanese in 15, and Spanish in 13. Russian is also taught in 4 or 5 schools, as is Arabic. From those figures it is obvious that there is a tremendous spread of languages being taught in our schools, resulting in an extremely wide choice being offered to students.

In addition, I stress that a general language course is provided in 91 different high schools. This develops an interest in the study of foreign languages and would enable a student who has undertaken the course to handle, at an elementary level, the speaking of a foreign language on visiting another country. The general course leads on to the specialized study of individual languages. Moreover, some 5,000 students attend Saturday morning classes in modern languages, in which a wide variety of languages is also taught—although 3,000 of the 5,000 study modern Greek. In answer to the final part of the honorable member's question, obviously, hundreds of teachers are involved in this large-scale teaching of foreign languages and the number is steadily expanding.

#### **FAMILY AND COMMUNITY SERVICES PROGRAMME.**

**Mr. ROPER** (Brunswick): Is the Minister for Social Welfare aware that a number of chairmen of Family and Community Services regions have requested municipal councils to contribute money towards Family and Community Services projects for this financial year because the department has changed the basis of funding to \$1 for \$1 on particular projects? Will the Minister explain why the change has occurred, whether it will place a further burden on municipal councils in the provision of social welfare services and whether it will result in a number of worth-while projects that were funded previously no longer being funded?

**Mr. DIXON** (Minister for Social Welfare): The honorable member is entirely misinformed. The policy on

community service grants has always been that they will be funded on a \$1 for \$1 basis, and from the very beginning of the Family and Community Services programme I have said that Government funds directed to the programme would seek matching funds wherever possible from voluntary organizations and from municipalities. Programmes that are concerned with family and community support services offer an overall challenge to families and communities, and they ought to be regarded in that light. In my view, a combination of effort between local government, State Government, voluntary organizations and self-help groups is to be commended.

As the honorable member would be aware, in the recent Budget the Treasurer increased the allocation for the Family and Community Services programme from \$2.4 million in the previous Budget to \$3.1 million. That, in comparison with the average increase of approximately 7.5 per cent, represents a meteoric rise, which was deserved, because the sorts of family and community support services the programme aims to provide are absolutely essential, and in my view they require even greater support.

The honorable member raised the question of \$1 for \$1 grants. I advise the House that there has been a change in policy in the absolutely opposite direction from that implied by the honorable member. This year the Social Welfare Department will recognize the employment of volunteers as part of the matching grants. This has been done for some years in the Department of Youth, Sport and Recreation. I intended to institute this policy from the beginning of the Family and Community Services programme, but the accounting and evaluation of voluntary labour proved to be extremely difficult during the first year of the operation of the programme.

In the guidelines sent to the consultative committees it has been made clear that if the individual

committee can suggest an appropriate way of accounting for and evaluating voluntary labour, the amount so evaluated will form part of the amount on which the \$1 for \$1 grant will be given. I recently received a letter from Mr. Ken Redwyn, the chairman of the consultative committee in the western region, congratulating the department on that move. I would encourage consultative council chairmen to work in conjunction with local government and for local government to make some funds available for those programmes.

### ADVISORY COMMITTEE ON WOMEN.

**Mr. HANN (Rodney):** Is it a fact that there are no representatives of salaried and professional women on the Government's Advisory Committee on Women? Is the Premier aware that the Business and Professional Women's Clubs organization believe they have been let down on this issue and will the honorable gentleman consider appointing representatives of salaried and professional women to this committee?

**Mr. HAMER (Premier and Treasurer):** This is the sort of problem which arises with many committees. If one tries to have everybody represented one ends up with a big committee. The Government has tried to keep this committee small. Certainly there are many women represented on it from various groups. I shall consider this proposition but the last thing we want is to encourage every group to seek representation on it.

### AGRICULTURAL APPRENTICES.

**Mr. PLOWMAN (Evelyn):** Can the Minister of Labour and Industry advise the House whether the agricultural apprentices scheme is progressing as expected by the Industrial Training Commission and whether it has run into undue problems?

**Mr. RAMSAY (Minister of Labour and Industry):** The scheme for agricultural apprentices was unique to

Victoria. One of its unique factors was that in all aspects it was voluntary. In many trades to be indentured as an apprentice is the only way in which to become a tradesman but when the apprenticeship scheme was introduced to agriculture it was left as an alternative. As a result the Industrial Training Commission did not expect a large number of youngsters to take up agricultural apprenticeships and was surprised when, instead of the expected 48 in the first year, 121 indentures were signed. Today there are more than 800 indentured apprentices or youngsters serving a probationary period immediately prior to the signing of indentures. Only this morning at the Royal Show I presented the prizes to the top apprentices in both farming and fruit growing in the first group of 77 apprentices to complete the course.

### TROTTING RACES.

**Mr. TREZISE (Geelong North):** Following the claim by the Minister for Youth, Sport and Recreation last week to this House that as a result of police inquiries into alleged rigging of trotting races in this State two stewards were sacked for what the Minister describes as malpractice, is the Minister aware that shortly after the so-called sacking of stewards for rigging races, one of the two gentlemen was granted a bookmaker's licence and the other a trainer's licence?

At least one of these men is claiming that he was never sacked for the reasons claimed by the Minister. He states that he is a reputable citizen in every way, not only on the race-course but in private life, and he is demanding a public apology from the Minister for his remarks. Is the Minister prepared to withdraw his remarks of last week or will he explain why the so-called race riggers in the statement were given a licence to be a bookmaker and a trainer respectively in the trotting world?

**Mr. DIXON (Minister for Youth, Sport and Recreation):** The honorable member for Geelong North has

asked, without notice, a complex question which I wish to answer. It is not an easy matter. Firstly, there is nothing in the statement I made to the House that I wish to retract. It is all entirely factual. I will reiterate the facts. First, in 1974 there was a police inquiry into alleged malpractice in the trotting industry. Secondly, at the time of that report and following knowledge of it by the Trotting Control Board, two stewards were dismissed.

Mr. SIMPSON: Not for those reasons.

Mr. DIXON: I have never said that the stewards were dismissed for those reasons. You choose to interpret it that way, and that is your prerogative. I am saying that I have never said that the two stewards were dismissed because of malpractice. Indeed, the key words in my answer were "alleged malpractice". There is also the word "may".

Mr. TREZISE: And sacked!

Mr. DIXON: They were sacked; that is entirely true. I have invited all honorable members opposite to read the file. However, no honorable member opposite has availed himself of that opportunity, notwithstanding that the honorable member for Geelong North and the honorable member for Niddrie have been as deeply involved in this matter as I have been. They have not availed themselves of the opportunity of reading the file which would substantiate what I have said to the House. Although I have invited the honorable members to do that, they have chosen to speak from ignorance. I can do nothing about that. The file is available to any honorable member opposite. It is in the office of the Department of Youth, Sport and Recreation. I have made it abundantly clear to this House that there could be a link between the report made in 1974 and the current investigation. I consider that I am carrying out my Ministerial responsibilities by saying that the file is available to honorable

members opposite. It is a critical document and in my view it should be kept in as safe custody as possible. Therefore it should stay in my department and I propose to stand by my decision on that.

The honorable member for Geelong North has raised the question of the two stewards. I make it clear that there were a number of factors in the minds of members of the Trotting Control Board when the action was taken to dismiss the two stewards. I retract nothing that I have said. I received a letter from Mr. Gebert of the Trotting Control Board informing me of matters pertaining to that question and of the fact that one of the stewards has a bookmaker's licence.

Mr. TREZISE: And the other has a trainer's licence.

Mr. DIXON: The honorable member informs me of that and I thank him for the information. To date the only representations that I have received in regard to the stewards have been through the honorable member for Niddrie acting on behalf of one person. Hence I have requested the Trotting Control Board to furnish me with information concerning that steward. As the honorable member for Geelong North has mentioned a training licence, I shall request information from the board about that matter. The information I received from the board was to the effect that at the time the licence was granted no objection was raised by the Trotting Control Board. Yesterday I directed the Director-General of Youth, Sport and Recreation to seek from the Trotting Control Board further information concerning that matter. I am awaiting further information from the board.

Mr. WILKES: Does that relate to the present inquiry?

Mr. DIXON: I have already told the House that it is possible that there is some link between all the matters dealt with in the 1974 inquiry and the existing inquiry. That is not to say that any specific matters that have been discussed are linked.

I say again that the findings concerned with the 1974 inquiry and the 1978 inquiry will be made public at the appropriate time.

Mr. FORDHAM: After the election.

Mr. DIXON: At the conclusion of the investigation. I ask those honorable members who are concerned about this matter to examine the file.

### PERSONAL EXPLANATION.

Mr. FRANCIS (Caulfield): I wish to make a brief personal explanation in relation to statements made by the Honorable V. T. Hauser in the Legislative Council on 20th September, when he referred to certain statements made by me in this House on 19th September, and to a news item in the *Sun News-Pictorial*. On page 3995 of *Hansard* the Honorable Vernon Hauser is reported as having said—

Unlike Mr. Jennings, Mr. Francis did not say when this alleged meeting took place. He suggested, however, that I visited him in his office. I have never been inside Mr. Charles Francis's Parliamentary office. Does he suggest the meeting took place in my office? He did not.

He further went on to say—

I believe and state unequivocally that these alleged remarks are a complete fabrication—to be kind, a figment of Mr. Francis's imagination.

In view of those statements made by Mr. Hauser which I know to be untrue I have this morning made a statutory declaration before a justice of the peace, Mr. Douglas Muir of 7 Moralla Road, Kooyong, both a justice of the peace and a senior member of the Liberal Party. In that statutory declaration I have set out details of what occurred on 13th September, 1977. I do not propose to read the whole of the statutory declaration to this House but I propose to read paragraphs 1 and 7. Paragraph 1 reads—

1. That on the evening of the 13th day of September, 1977, I went to my office at Parliament House Melbourne. Almost immediately the Honorable Vernon Thomas Hauser entered my said office and took up a position approximately four or five feet from the door near the centre of the room in the immediate vicinity of my desk. At the time I myself was standing near the eastern wall of the office. Thereafter from his general

appearance manner and speech I formed the view that the Honorable Vernon Thomas Hauser had been drinking.

**The SPEAKER (Sir Kenneth Wheeler):** I am asking the honorable member to prove to the House how he believes he has been misrepresented. I do not think it is necessary to cast any reflections on a person. I read *Hansard* when the honorable member discussed this with me in my office. I will have to read the appropriate Standing Order which must be complied with. Standing Order No. 95 reads—

No member shall allude to any debate in the other House of Parliament, or to any measure pending therein, except that whenever a Member of this House believes himself to be seriously misrepresented by statements made in the same Session in the other House of Parliament, he may, having established to the satisfaction of Mr. Speaker

The honorable member did that—

that he had been seriously misrepresented, seek leave of the House to make a personal statement in refutation or by way of explanation. This statement may not be debated.

I ask the honorable member to explain to the House how he believes that he has been misrepresented, with no preamble to it and without whys and wherefores.

Mr. FRANCIS: I have been misrepresented in that I have said there was a conversation between myself and the Honorable Vernon Hauser on the evening of 13th September, 1977. The Honorable Vernon Hauser has said that this is entirely untrue, that it is a figment of my imagination, that there was no conversation and he was never in my office. I refer to paragraph 7 of the statutory declaration—

7. That at a late stage in the conversation the Honorable Vernon Thomas Hauser said in substance that I should realise that what was happening within the government was a common practice and he added words to the effect "We've all made money out of land deals. I've made money out of land deals myself. I'll even tell the name of the company. It was Tamar . . ."

and he added a second word to the name which was either Holdings or Investments or some similar word but which I am now unable to recall.

**The SPEAKER (Sir Kenneth Wheeler):** Nowhere in *Hansard* does that appear. The honorable member has to confine himself to refuting what has been recorded in *Hansard*.

**Mr. FORDHAM (Footscray):** On a point of order, the Standing Order which you read, Mr. Speaker, indicates that where a person has been seriously misrepresented he has a right to make a personal explanation. In making that personal explanation, as the honorable member for Caulfield is doing, he is able to illustrate and state his case as to why he believes that conversation was held and his recollection of that conversation. In stating his recollection of it he must allude to some degree to what was said to show that in fact there was a conversation. I do not think the honorable member has been straying from the spirit of the Standing Order. Of course, if he went into it, he would be. I do not think he has reached that point yet.

**The SPEAKER (Sir Kenneth Wheeler):** I entirely agree with what the Deputy Leader of the Opposition has said but I am following *Hansard* very carefully. The honorable member for Caulfield and myself discussed this in my office. We clearly understand the situation and I again say that it is not for the honorable member to give the House any detail of where Mr. Hauser stood; it is a matter of what he said and what is contained in *Hansard* that is to be refuted.

**Mr. FRANCIS (Caulfield):** I intend to table this declaration.

**The SPEAKER:** The honorable member in laying it on the table is merely making it available for honorable members. It does not become a Parliamentary paper and as such privileged.

**Mr. FRANCIS:** There is one other matter I wish to refer to at page 3995 in *Hansard*. The Honorable Vernon Hauser said—

Some months ago at the invitation of Mr. James Guest I attended at Mr. Francis's legal office at Owen Dixon Chambers—I have been there—to try to find out whether

he was giving information on party meetings to the *National Times*. This meeting has been well publicized.

I simply desire to give this House a little more information in relation to what the Honorable Vernon Hauser said because in that brief passage he may have created a misconception. The Honorable Vernon Hauser and the Honorable James Guest did attend my office that day about noon. Not very long after that, in the chambers of the Honorable James Guest, they were able to tape record a private conversation between myself and a journalist, a member of the staff of the *National Times*, without the journalist knowing that anyone else was present and without that journalist knowing that the conversation was being tape recorded. The substance of what the journalist said to me was that he considered that I had never leaked confidential party room information to him—

*Honorable members interjecting.*

**The SPEAKER (Sir Kenneth Wheeler):** Order! I do not wish to stop the honorable member but what the journalist said to the honorable member for Caulfield is not contained in *Hansard* and that is not what the member is trying to refute. What the journalist said outside this place has nothing to do with this matter.

**Mr. FRANCIS:** With respect, this passage creates the inference that I may have been guilty of leaking information to the *National Times*. The Honorable Vernon Hauser knows well what occurred on that occasion and does not choose to reveal it. He knows they made a tape recording. When they found that tape recording was positive evidence I had not leaked information to the *National Times*, the Honorable James Guest subsequently destroyed that tape.

**The SPEAKER (Sir Kenneth Wheeler):** Again I remind the honorable member that there is no reference and, I repeat again, no reference in *Hansard* to any tape or discussion which took place in the presence of some journalist; that is not a matter for this House to decide or hear.

Mr. FRANCIS: With respect, I consider that the statement as it there appears is misleading. I respectfully disagree with your ruling but I will comply with it and not urge the matter further.

**The SPEAKER** (Sir Kenneth Wheeler): If the honorable member disagrees with my ruling, options are open to him.

**Mr. WILKES** (Leader of the Opposition): That is no good. It stays on the Notice Paper for three months.

**The SPEAKER**: Order! That is not a fair statement. The honorable member had an opportunity to raise a particular matter but, at his own request, he allowed it to stay on the Notice Paper. Has the honorable member for Caulfield finished his remarks?

**Mr. FRANCIS** (Caulfield): I have said all that you will permit me to say, Mr. Speaker. Therefore I have concluded my personal explanation.

### **ROAD SAFETY COMMITTEE.**

#### **NINETEENTH PROGRESS REPORT.**

**Mr. BILLING** (Springvale) presented the nineteenth progress report from the Road Safety Committee upon impounding of registration plates, penalties for unlicensed driving and some aspects of alcohol and road safety, together with appendices and minutes of evidence.

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

### **PAPERS.**

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk—

Government Buildings Advisory Council—  
Report for the year 1977-78.

Science Museum—Report for the year  
1976-77.

### **CROWN LAND (RESERVES) BILL.**

**Mr. BORTHWICK** (Minister of Lands) moved for leave to bring in a Bill to provide for the reservation of Crown lands for certain purposes and for the management of such reserved lands and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

### **LAND TAX BILL.**

**Mr. HAMER** (Premier and Treasurer): I move—

That this Bill be now read a second time.

Its purpose is to implement the Budget decisions on land tax. As the Budget speech made clear, the Government has thoroughly reviewed the whole land tax situation and this Bill incorporates the results of that review—results which have to be regarded as important concessions to landowners.

A new residential exemption is to be incorporated in the Land Tax Act and will operate with effect from 1st January, 1978. It will therefore apply to all 1978 assessments of residential land.

The effect of this change will be that the ordinary home block will be completely exempt from land tax up to an unimproved value of \$33,000. This is the situation where the land is the only land owned, is the site of the principal place of residence, and the unimproved value does not exceed \$33,000. Above this value, there will be a straight-out deduction of \$117·81, the amount applicable to \$33,000 at the new minimum rate of tax, 0·357 cents in the \$1. Where the value of the residential land is less than \$33,000, but is part of a larger total holding, the deduction will be the unimproved value of the residential land at the minimum rate.

To qualify for this concession, the land must be used by the owner or one of the owners as his or her principal place of residence. Large sized residential holdings will be eligible for this deduction as the existing requirement that residential land must be less than half a hectare in area is removed.

The second part of the land tax concessions incorporated in this Bill is the new land tax rates scale which is to operate from 1st January, 1979.

The 15 per cent discount which operated in 1978 has now been built in to the scale up to a taxable value of \$880,000, with the maximum rate of tax being reduced from 4 cents to 3 cents in the \$1.

An explanatory memorandum has been provided which elaborates on the purpose of each clause of the Bill. Also provided are examples of the application of the increased exemption and the new scale to hypothetical cases. It is clear that many thousands of residential landholders will either pay no tax or less tax as a result of the new exemption. It has been calculated that 40,000 taxpayers will pay less tax. In many cases they will pay even less than they paid in 1977. Also, 50,000 residential taxpayers who might otherwise be liable will either be wholly exempted or, if the value of the land exceeds \$33,000, will pay a small amount of tax on the excess value over \$33,000. It is also clear that all taxpayers and particularly businesses will benefit from the new rates scale. I therefore commend the Bill to the House.

On the motion of Mr. WILKES (Leader of the Opposition), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, October 11.

### ORDER OF BUSINESS.

**Mr. SCANLAN** (Minister of Special Education): I move—

That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

**Mr. WILKES** (Leader of the Opposition): The Opposition objects to this procedure. What is the reason for the change?

**The DEPUTY SPEAKER (Mr. McLaren):** The Government has requested that this Order of the Day be postponed. I ask the Minister to explain the position.

**Mr. WILKES:** The Opposition would like the Minister to explain the position. The Order of the Day has already been called on. If the

House were run correctly, the Bill would be ready. It has already been called on. The honorable member for Knox suggests that the Minister is not ready. I cannot help that.

**Mr. SCANLAN** (Minister of Special Education): On behalf of the Minister of Transport, I advise honorable members that the notes are not ready for distribution to the House. For that reason the Government seeks to produce the notes and the Bill at a later stage today. On behalf of the Government and the Minister of Transport, I apologize for any delay, but at this time the notes are not available for distribution.

**Mr. WILTON** (Broadmeadows): Once again honorable members have seen the shemozzle into which the Government gets itself. Ministers, when giving notice of Bills, should know that the notes or the Bills are not ready. The Opposition has already indicated that it considers the most important Bill in Parliament at the moment is the Appropriation (1978–79, No. 1) Bill, which is the Budget. The Opposition is prepared to proceed with that debate, and to test the sincerity of the Government, I move the following amendment—

That the expression "Order of the Day, Government Business, No. 2" be omitted with the view of inserting the expression "Orders of the Day, Government Business, Nos. 2 to 8 inclusive".

**The DEPUTY SPEAKER (Mr. McLaren):** Is the motion seconded?

**Mr. EDMUNDS** (Ascot Vale): I second the amendment.

**Mr. WILTON** (Broadmeadows): As I have already indicated, the reason for the amendment is that the Opposition considers the most important Bill before the House at the moment is the Appropriation (1978–79, No. 1) Bill, and members of the Opposition are anxious that the debate on the Bill should be concluded as soon as possible. Then the House can consider the other Bills listed on the Notice Paper. If the Government has been unable to organize itself and the production of the Bills and the second-reading notes in time to

deal with the Bills in the order in which they are listed on the Notice Paper, then the Budget debate should proceed forthwith.

**Mr. BORTHWICK** (Minister for Conservation): The Government opposes the amendment and would like to proceed, with the permission of the House, with Orders of the Day Nos. 4, 5, 6 and 7, and then move directly on to the Appropriation Bill.

The House divided on the question that the expression proposed by Mr. Wilton to be omitted stand part of the motion (Mr. McLaren in the chair)—

|      |    |    |    |
|------|----|----|----|
| Ayes | .. | .. | 47 |
| Noes | .. | .. | 22 |

|                                |    |    |
|--------------------------------|----|----|
| Majority against the amendment | .. | 25 |
|--------------------------------|----|----|

# AYES.

|                  |                  |
|------------------|------------------|
| Mr. Austin       | Mr. McInnes      |
| Mr. Balfour      | Mr. McKellar     |
| Mr. Billing      | Mrs. Patrick     |
| Mr. Birrell      | Mr. Plowman      |
| Mr. Borthwick    | Mr. Rafferty     |
| Mr. Burgin       | Mr. Ramsay       |
| Mr. Coleman      | Mr. Reese        |
| Mr. Collins      | Mr. Richardson   |
| Mr. Dixon        | Mr. Ross-Edwards |
| Mr. Dunstan      | Mr. Scanlan      |
| Mr. Ebery        | Mr. Skeggs       |
| Mr. Evans        | Mr. Smith        |
| (Ballarat North) | (South Barwon)   |
| Mr. Evans        | Mr. Smith        |
| (Gippsland East) | (Warrnambool)    |
| Mr. Francis      | Mr. Stephen      |
| Mr. Gude         | Mr. Suggett      |
| Mr. Hamer        | Mr. Tumbleton    |
| Mr. Hann         | Mr. Thompson     |
| Mr. Hayes        | Mr. Whiting      |
| Mr. Jasper       | Mr. Williams     |
| Mr. Lacy         | Mr. Wood         |
| Mr. Lieberman    |                  |
| Mr. Loxton       |                  |
| Mr. McArthur     |                  |
| Mr. McCabe       |                  |
| Mr. McClure      |                  |

# Tellers:

|               |
|---------------|
| Mr. Mackinnon |
| Mr. Weideman  |

# NOES.

|              |                  |
|--------------|------------------|
| Mr. Amos     | Mr. Remington    |
| Mr. Cain     | Mr. Roper        |
| Mr. Cathie   | Mr. Sidiropoulos |
| Mr. Crabb    | Mr. Simmonds     |
| Mr. Culpin   | Mrs. Toner       |
| Mr. Edmunds  | Mr. Trezise      |
| Mr. Fogarty  | Mr. Wilkes       |
| Mr. Fordham  | Mr. Wilton       |
| Mr. Ginifer  |                  |
| Mr. Kirkwood |                  |
| Mr. Lind     |                  |
| Mr. Mutton   |                  |

# Tellers:

|              |
|--------------|
| Mr. Simpson  |
| Mr. Stirling |

# PAIR.

|               |           |
|---------------|-----------|
| Mr. Maclellan | Mr. Doube |
|---------------|-----------|

The motion was agreed to.

**Mr. BORTHWICK** (Minister for Conservation): I move—

That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

**Mr. WILTON** (Broadmeadows): What is the Government trying to do?

**Mr. BORTHWICK**: It was agreed to by the Deputy Leader of the Opposition.

**Mr. WILTON**: The Minister has just made a serious accusation. I am not raising a point of order; I am speaking to the motion.

About ten minutes ago the Minister for Conservation informed the House why the Government would not accept the Opposition's proposed amendment which would have allowed debate to proceed on the Budget because the Government wanted to proceed with Order of the Day, No. 2, listed on the Notice Paper.

A few minutes later the same situation has arisen, and the Government wants to postpone Order of the Day, No. 3, presumably for the same reason, that the second-reading notes are not ready. The Ministers are in a hopeless situation; they could not run a pie stall. They would even find difficulty getting a job with the Melbourne *Herald* selling newspapers.

The motion was agreed to.

# MELBOURNE (SNOWDEN GARDENS) LAND BILL.

**Mr. BORTHWICK** (Minister of Lands): I move—

That this Bill be now read a second time. The Melbourne (Snowden Gardens) Land Act 1975 authorized the Victorian Arts Centre Building Committee to use the strata above the surfaces of portions of City Road, Riverside Avenue and Sturt Street for pedestrian ways or garden plazas.

The building committee required the area over City Road for the pedestrian link between the concert hall and the theatres complex, while the areas above Riverside Avenue and Sturt Street are to be used for garden terraces.

At the time of the passing of the Act the concert hall and theatres concept was in sketch plan form, but it was expected that the Act would cover all the requirements of the committee in respect to the use of the roads abutting the Arts Centre.

However, with the further development of the design of the Arts Centre, and to allow for the maximum efficiency of its operation, it is now firmly established that the committee requires additional rights over those roads.

The terrace over City Road, which will provide general pedestrian access and be landscaped with lawns and shrubs, extends over a small portion of South Gate. This terrace will carry some service facilities.

To retain as much public open space as possible, the main services tunnel will now be constructed entirely below the footpath on the eastern side of Sturt Street adjoining the Arts Centre. The edge of the lower part of the Arts Centre spire will encroach into the air space over Sturt Street, above the Sturt Street terrace. The spire will not be supported in any way from the terrace itself.

At a later date the building committee may need to provide pedestrian access from the Sturt Street terrace down to surface level. A balcony around the concert hall, to be used for efficient public circulation and for the observation of the Arts Centre gardens, will encroach above the Riverside Avenue terrace and extend some 2 metres into South Gate.

This balcony will require the trimming of small branches of the plane trees in South Gate, and the Melbourne City Council has agreed to

this work being undertaken. The original concept that these trees be retained as a horticultural barrier to the wall of this section of the Arts Centre will be preserved.

Finally, an access ramp, extending below the surface of Riverside Avenue and to provide effective access to the concert hall stage area for bulky items, is also essential to the project.

The relevant municipal councils are aware of all the proposed works and have agreed in principle. The works will be subject to such conditions as are deemed to be necessary by the councils.

In addition the building committee will provide public outdoor eating facilities in some of the garden terraces, and this is also provided for in the Bill.

Clause 1 of the Bill cites the short title, refers to the 1975 Act as the principal Act and provides for the commencement of the legislation.

Clause 2 amends the principal Act to empower the Governor in Council to authorize the building committee to occupy certain portions of the roads abutting the Arts Centre for any of the purposes I have mentioned.

The provision that the municipal councils may maintain and manage the garden and ornamental areas is not altered.

I commend the Bill to the House.

**Mr. FORDHAM** (Footscray): I move—

That the debate be now adjourned.

**Mr. BORTHWICK** (Minister of Lands): I suggest that the debate be adjourned until Tuesday week.

**Mr. WHITING** (Mildura): I ask the Minister to allow an adjournment of at least two weeks, because as Parliament will not be sitting next week, it will be difficult for honorable members to research the measure and put it to a party meeting on Tuesday week.

**Mr. BORTHWICK**: I agree to an adjournment of two weeks.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Wednesday, October 11.

### **SECURITIES INDUSTRY (AMENDMENT) BILL.**

**Mr. SCANLAN** (Minister of Special Education): I move—

That this Bill be now read a second time. During 1975 a review was undertaken of the Securities Industry Act of the four participating States under the Interstate Corporate Affairs Agreement—Victoria, New South Wales, Queensland and Western Australia. As a result of this review the Securities Industry Act 1970 was repealed by the Securities Industry Act 1975, which came into operation on 1st March, 1976.

Part IX. of the 1975 Act deals with fidelity funds maintained by stock exchanges. There were no radical changes effected by the provisions in this Part, but one significant amendment was the increase from \$250,000 to \$500,000 of the maximum amount payable from the fidelity fund of a stock exchange in respect of defalcations or fraudulent misuses of property by or in connection with: (a) a sole trader; or (b) a member firm.

Although the intention was simply to increase the maximum amount to \$500,000, section 97 (3) of the 1975 Act was rephrased, with the unintended result that the new maximum amount of \$500,000 became payable in respect of each person suffering loss.

At a meeting of the Ministerial Council held earlier this year, it was agreed that the position under the Securities Industry Act 1970—except the limitation of \$250,000—should be restored. This Bill gives effect to that agreement. I commend the Bill to the House.

On the motion of **Mr. CRABB** (Knox), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, October 10.

### **DANDENONG VALLEY AUTHORITY (RECREATIONAL AREAS AND ENVIRONMENTAL AREAS) BILL.**

**Mr. BORTHWICK** (Minister of Lands): I move—

That this Bill be now read a second time. It amends the Dandenong Valley Authority Act 1963 for the purpose of empowering the Dandenong Valley Authority legally to remove vehicles and boats often dumped in recreational areas, environmental areas and waterways or along drains. The amendment has been requested by the authority as it has been legally advised that it has no power to touch such vehicles or boats under the provisions of the principal Act.

The principal Act provides in section 31A for the declaration as recreational areas or environmental areas of lands—such as flood retarding basins—vested in the authority and for the appointment of committees of management to control their development and use for recreational and beautification purposes. This development and use is often impeded by the presence in these areas of unsightly or dangerous, derelict or abandoned vehicles and water craft and their removal and disposal are costly.

Express provisions in regard to this growing problem are therefore included in the Bill. The measure will put the authority and committees of management in much the same position as municipal councils enjoy in regard to the removal and disposal of motor cars left standing in streets and parking areas. Further, existing provisions in the Water Act and the Melbourne and Metropolitan Board of Works Act enable the authorities operating under those acts similarly to remove and dispose of abandoned vehicles and boats.

I will now turn to the clauses of the Bill.

Clause 1 gives the preamble and provides for the Act to come into operation when it receives the Royal assent.

Clause 2 (1) inserts in section 31A of the principal Act the following new sub-sections—

Sub-section (1F)—If a vehicle left on any land in a recreational area or an environmental area is unregistered or has been left for at least seven consecutive days and in the opinion of the authority or committee of management has been abandoned, the authority or committee of management may impound the vehicle.

Sub-section (1G)—If the vehicle is registered, notice of the impounding must be posted to the registered owner.

Sub-section (1H)—Any impounded vehicle must be surrendered to the owner on payment of a fee not exceeding \$10 plus \$2 for each day it is impounded and all reasonable expenses incurred by the authority or committee of management.

Sub-section (1I)—If a vehicle is not claimed within fourteen days after removal, or in the case of a registered vehicle within fourteen days of the service of notice on the registered owner, it may be sold by auction or public tender. Seven days' notice of the sale must be given in a local newspaper. If the vehicle cannot be sold it may be disposed of as the authority or committee of management sees fit.

Sub-section (1J)—Sale of a vehicle under these provisions gives the purchaser a good title which shall not be impeachable on any grounds whatsoever.

Sub-section (1K)—The net proceeds of the sale must be held in trust for twelve months for payment to any person entitled thereto, but if not claimed shall be applied in accordance with the provisions of section 31A (4) of the principal Act.

Sub-section (1L)—If the person to whom the money is paid is not entitled thereto any other claimant may have recourse against him but not against the authority or committee of management.

Sub-section (1M)—The powers conferred on the authority or committees of management by these provisions may be exercised by persons duly authorized by those bodies.

Sub-section (1N)—Vehicle defined as a motor car within the meaning of section 3 of the Motor Car Act, a trailer, a cart or carriage or a ship or boat and any goods attached to a vehicle.

Clause 2 (2) empowers the authority and committees of management to impose collect and recover fees and expenses in accordance with the new section 31A (1H) proposed in clause 2 (1). Clause 2 (3) and (4) makes consequential amendments only and deals with the disbursement of moneys received under these provisions. I commend the Bill to the House.

On the motion of Mr. CATHIE (Carrum), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, October 12.

#### **GAS AND FUEL CORPORATION (MUNICIPAL RATES) BILL.**

The debate (adjourned from September 14) on the motion of Mr. Balfour (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

**Mr. AMOS (Morwell):** The Bill is an attempt by the Government to exempt the Gas and Fuel Corporation of Victoria from the payment of municipal rates on land used by the corporation, with certain exceptions. The exception of land used to carry on the business of trading in gas appliances was referred to by the Minister.

The reason for the introduction of the Bill is that the Supreme Court of Victoria has ruled and found that the Gas and Fuel Corporation is liable to pay rates, and the action was taken because of a demand made on the corporation by the City of Williamstown in respect of land that the corporation took over from Colonial Gas Association Ltd. when that company was absorbed into the corporation in 1973.

Rightfully, the City of Williamstown feels aggrieved, as do other municipalities, that even though the City of Williamstown had to go to the extent of proving its point at law, the Government is not content with the ruling of the Supreme Court and is introducing legislation to change that ruling—in effect, that is what the Bill proposes to do.

They are aggrieved not only because the Government now says that the Gas and Fuel Corporation should be exempt from the payment of rates for all time in the future, but also because the Government is saying that the exemption should be retrospective to 1973. It is the question of retrospectivity that is most objectionable, and I shall deal with that matter in a little more detail in the course of my remarks.

The City of Williamstown has made its views known to the Minister and to other honorable members. In a letter to the Minister, dated 19th September, the City of Williamstown said—

Council is extremely disappointed and thoroughly disgusted to learn that the Gas and Fuel Corporation has the effrontery to carry on a protracted legal argument extending over a period of four years with this, and other municipalities, which culminated in a Supreme Court judgment that gas mains are in fact rateable land in terms of the Local Government Act. In the knowledge that it cannot sustain its misconstrued theories in a court of law, the Gas and Fuel Corporation is now, in stealth, endeavouring to have a unpalatable result rectified by what virtually is a manipulation of the legislation.

I do not necessarily agree with the tone and terms used by the municipality, but I can certainly share its concern about the way in which the Government is attempting to rectify a situation that was apparent many years ago. One wonders why the Government did not correct the problem some time ago, because in 1968 it was found necessary to introduce legislation to exempt the State Electricity Commission from the payment of municipal rates. Doubt was expressed by municipalities and by the corporation about whether the

principal Act exempted the Gas and Fuel Corporation from the payment of rates on gas mains, but no action was taken by the Government.

The Government has now been forced to take action by a ruling of the Supreme Court, but it is attempting to do even more through the introduction of a clause to make the exemption retrospective. As I have said, that is most objectionable.

The City of Altona has also expressed concern about this matter, and in a letter to the honorable member for Williamstown dated 19th September, it said—

Council sees no reason why it should be required to refund rates which were paid by agreement dating back to October 1, 1973.

The City of Altona expressed an even stronger view to the Minister for Local Government in representations made to that honorable gentleman on 19th September, in which it said—

Council opposes retrospectivity in the granting of exemption, and believes that if the Parliament is to pass the legislation, the exemption should be operative from October 1, 1978.

What is the legal history of cases of this type? Some of the more notable cases that have been referred to include the *Grain Elevators Board (Victoria) v. President, Councillors and Ratepayers of the Shire of Dunmunkle*, which is reported at page 70, 73 Commonwealth Law Reports 1946. The case was heard before the High Court, which held that the land concerned was rateable under the Local Government Act. In 1959 the case of *The Mayor, Aldermen and Citizens of the City of Launceston v. The Hydro-Electricity Commission of Tasmania*, which is reported at page 654, 100 Commonwealth Law Reports 1959, took place. The High Court brought down a verdict similar to that brought down in the previous case and decided that the Hydro-Electricity Commission was not exempted from the payment of rates. In 1968 a similar case, to which I referred earlier, arose in Victoria and at that time the State Electricity Commission was found to be the owner of rateable land in an action

Mr. Amos.

taken by the City of South Melbourne. The Government then introduced legislation to exempt the commission from the payment of rates.

I shall not go into the detail expressed in the rulings of the High Court in the cases concerning the Grain Elevators Board and the Hydro-Electricity Commission of Tasmania, but I point out that the litigation was extremely costly. Both the Tasmanian and Victorian Governments, which were of different political colours, found it necessary to exempt the utilities from the payment of rates and to place that matter beyond question. However, this Bill is different, because those cases did not include retrospectivity. The Government is attempting to introduce retrospectivity under the proposed legislation.

Another matter for concern, which is probably expressed most frequently by the legal profession, deals with the principle of Parliament changing the law because the Government of the day does not agree with a ruling given by the courts. Whether it be the Supreme Court of Victoria or the High Court of Australia, the same principle applies. The courts found that the utilities were subject to rating and the Government of the day used the Parliament to set aside those judgments.

I refer honorable members to a publication I obtained from the Library. It is a paper that was presented by the Right Honorable Sir Kenneth Diplock to the Holdsworth Club on the subject of "The Courts As Legislators". Sir Kenneth Diplock was at the time a Lord Justice of Appeal and President of the Holdsworth Club in the Faculty of Law at the University of Birmingham. He was well known in the legal fraternity at that time. At page 7 of the paper, Sir Kenneth said—

I do not suggest that the courts provide a suitable source of legislation in this field. Not only for the conventional reason that taxation is the responsibility of an elected legislature but also for the reason that a taxing statute in particular should not be retrospective.

Of course, the principle that taxing legislation ought not to be retrospective is a principle to which Parliaments in the Commonwealth adhere or claim to adhere, but this Government is now attempting to save the Gas and Fuel Corporation an unknown amount of money by retrospectively exempting it from its liability. One looks at statutory authorities and other organizations outside Government and Government work to find out what is the correct position. The question of whether statutory authorities and Government departments should be exempt from the payment of rates to local government has been considered by the Statute Law Revision Committee of this Parliament and also by other Parliaments. It has been considered by the Royal Commission of Inquiry into Rating, Valuation and Local Government Finance in New South Wales. Much evidence has been provided to suggest that such utilities should be exempt from the payment of rates. I quote from the report of that Royal Commission, which is obtainable from the Library. At page 130 of the report the Royal Commission refers to Mr. Monaghan who questioned the reasoning provided by municipal authorities that certain instrumentalities and Government departments ought to be rated. Mr. Monaghan who assisted the commission at that time said—

The Government provides many services to the local communities free of cost and it would be completely anomalous to subject court houses, police stations, and schools to rating. Councils are constantly pressing the Government to establish additional police stations and to increase the police force in their areas and, considering that in England local government meets half the cost of police expenditure, it is not unreasonable to expect local communities in this State to accept the principle that lands required for these services should not be rated.

Government expenditure and the existence of Government facilities contribute in no small way towards the economic development and overall improvement of an area. Councils stress the need for decentralization and establishment of industries in the country. Educational establishments

and power stations which permanently employ from 350 to 440 workers provide an economic stimulus to country areas which more than compensates for the relatively small amount of rates lost by the exemption of lands of the Government.

Similarly the report from the Statute Law Revision Committee presented to this Parliament in 1967 at page 26 under the heading "The Committee's Attitude" states—

The Committee has formed the firm conclusion that decisions as to whether there should be properties exempt from rating in full or in part, or what classes of property should be favoured in this way, are ones which must properly be made by a Government as a matter of policy.

Nobody argues against that. Of course it is the role of the Government to determine that. The report continued—

As was mentioned at the beginning of this Report, *prima facie* a municipality has a right to expect that all occupied land is rate-producing. Section 114 of the Commonwealth Constitution automatically reduces this field of rateable income, and it is open to doubt as to whether this will be altered to relieve the situation. Section 251 of the Local Government Act further reduces the rating potential and it is here that changes may be made, if desired.

It was put to the Committee that the general policy underlying these exemptions was that lands which are used in the service of the public or in promoting the welfare of the people are free from this particular form of taxation.

The Committee endeavoured to ascertain whether the present exemptions conformed to any pre-determined principle. To this end, section 251 may be classified under several broad headings:—

(a) crown land used for public purposes;

(b) land vested in various statutory public bodies and also in the Minister of Education;

(c) lands used for purposes relating to the edification of or otherwise for the benefit of the public; and

(d) land used for various religious purposes, including churches, halls, residences of land places of training for ministers.

If it is then said that the general policy underlying these exemptions was that lands which are used for the services of the public or for purposes relating to the edification of the public should be free from the particular form of taxation, it must

be assumed that the public benefits from the existence on that land of the authority, department or Government agency concerned.

In 1966 the Government found it necessary to place a turnover tax on the Gas and Fuel Corporation and the State Electricity Commission. That turnover tax of 3 per cent on the gross revenue of both the Gas and Fuel Corporation and the State Electricity Commission was increased, and now stands at 4 per cent of the gross turnover. It is interesting to consider the remarks of the then Premier of this State when introducing the turnover tax because they have a bearing on the question before the House at present on whether utilities such as the Gas and Fuel Corporation ought to be rated. At page 198 of volume 283 of *Hansard* the Premier is reported as having said—

A number of statutory corporations of a trading nature operate under the privilege of State legislation and are not subject to the general range of taxation laws which would apply to them if they were privately owned public utilities. Not only does this lead to a distortion of the true costs of the services they provide, but it also means that the revenue which could normally be expected to flow to Government from their operations has to be made good in some other way. With the extreme limits on revenue fields available to the State, we are no longer in a position to ignore the consequences of this in the over-all problem of how the community finances the unavoidable increasing cost of education. Accordingly, we have decided that these bodies should make a contribution to consolidated revenue in recognition of their freedom from the various forms of taxation from which they are now exempt. To make the administration of the matter simple, both for the authorities concerned and for the Government, there will be a single payment based on the gross revenue of the authority. Commencing this financial year, the State Electricity Commission and the Gas and Fuel Corporation will be required to make an annual statutory payment to Consolidated Revenue, equal to 3 per cent. of their gross revenue in the preceding year.

When one considers what that meant in terms of moneys provided to the State, certainly since 1970—I quote figures available from the annual reports of the Gas and Fuel Corporation and the State Electricity Commission since 1970—one finds that

it is a tidy sum. In 1970 the State Electricity Commission contributed \$6.63 million; in 1971 the figure was \$9.162 million; in 1972 it was \$9.44 million; in 1973 it was \$9.536 million; in 1974 it had risen to \$11.481 million; in 1975 it was \$13.553 million; in 1976 it was \$15.509 million; in 1977 it was \$18.769 million; and the last amount, the estimate for 1978, is \$21.52 million, which will go into consolidated revenue for the reason which was expressed by the then Premier, Sir Henry Bolte, in 1966. Since 1970 the Gas and Fuel Corporation has paid a total of \$24.9 million. The total for the State Electricity Commission from 1970 to 1978, including the estimate for 1978, amounted to \$115.604 million.

The Gas and Fuel Corporation paid into consolidated revenue the following sums: in 1970 and 1971, \$1.1 million; in 1972, \$1.6 million; in 1973, \$1.8 million; in 1974, \$2.1 million; in 1975, \$3 million; in 1976, \$3.8 million; in 1977, \$4.6 million; and in 1978, \$5.8 million. With this amount of money being paid into Consolidated Revenue in lieu of the normal taxes that the authorities would pay if they were privately owned utilities such as those mentioned by Sir Henry Bolte, surely one should expect that, if the Gas and Fuel Corporation were to experience difficulty in meeting a rate commitment that it has to the Altona, Williamstown and other municipalities, the Government should assist by making moneys available to the corporation to help it over a difficult period. Unfortunately the money is paid into consolidated revenue and is thus lost to the corporation and to the State Electricity Commission.

In an attempt to assist the corporation, which may be required to pay an unknown amount of money to municipalities under a rating liability, the Government has introduced the retrospectivity clause, which is obnoxious to the municipalities and to the Opposition. I refer the House to the remarks made by the former member for Williamstown, Mr. Larry Floyd,

on 30th October, 1968, when contributing to the debate on the State Electricity Commission (Amendment) Bill, which had the effect of exempting the commission from the payment of rates. At the conclusion of his remarks he said—

The Opposition objects to the retrospectivity provision contained in the Bill. It is a negation of democracy. If, for example, people in Oakleigh discover that the rates they pay are invalid, they should not be penalized by legislation which provides for retrospectivity. One might as well change the result of last year's football grand final, which is as absurd as the proposal contained in the Bill before the House. The Opposition believes that it has advanced sufficient argument for the Government to realize that it cannot impose a tax in one direction and try to avoid paying what it owes in another.

Those remarks put in a nutshell what the argument is all about. One cannot change last year's grand final result and it is equally as absurd for the Government to attempt to change the ruling of the courts in respect of the liability of the Gas and Fuel Corporation to pay rates to the municipalities through which its gas mains pass. I again refer to this unknown amount. So far as liabilities to the cities of Williamstown and Altona are concerned, where definite amounts of money have been set by way of rate valuation the amounts can be determined. However, there can be unknown liabilities to the City of Melbourne and other municipalities. The unknown liability can be catered for by the less obnoxious means of legislation or by the Government's meeting it. That liability would not be great as it is a liability from only 1973 until the legislation is passed and becomes operative—without the retrospectivity provision.

The Parliament should reject the notion of retrospectivity for two reasons. First, it is a bad principle to introduce retrospective taxation. I have referred already to the remarks made by the Right Honorable Sir Kenneth Diplock, the Lord Justice of Appeal, about that principle. The second reason is that the courts have already determined the liability and the municipalities concerned, expecting that the court's decision would

be abided by, have made certain provisions. Again, that is not to be the case. To cast retrospective legislation in the way suggested by the Minister denies municipalities the right given to them by the Acts of this Parliament and confirmed by the courts. I foreshadow that at the Committee stage I shall move in respect of clause 1 that the Act should come into operation on the day that it receives the Royal assent in lieu of the Government's intention that it come into operation on 1st October, 1973.

If the Government does not accept that amendment then it has a definite responsibility to ensure that favourable *ex-gratia* payments are made to the municipalities involved. Those municipalities obtained rate revenue from Colonial Gas Holdings Ltd. I submit that the *ex-gratia* payments should be generous and not penny pinching. The councils concerned have gone to a great deal of trouble to press home their rightful claims. I am aware that costs were awarded against the Gas and Fuel Corporation, and that it has had to meet the legal costs.

Mr. BALFOUR: The corporation accepted them; it did not have to meet them.

Mr. AMOS: I know that the corporation accepted them. They have been met by the corporation. Nevertheless I consider that a favourable *ex-gratia* payment should be made to the City of Williamstown and to other municipalities concerned to compensate them for all their efforts. For the reasons I have given, the Government should accept the amendment that I propose to move at the Committee stage. If the Government does not accept it, I ask the Minister to intimate whether he intends that the corporation should make *ex-gratia* payments.

*The sitting was suspended at 12.58 p.m. until 2.5 p.m.*

Mr. McINNES (Gippsland South): This small but important Bill covers a subject that has been the matter of some dispute and dissension for some

time; the question of exemption from payment of municipal rates on land used by the Gas and Fuel Corporation. As the Minister rightly stated, there are similarities to the earlier position of the State Electricity Commission on which the Government acted to remove the difficulty. One aspect that concerns the National Party is retrospectivity. It believes that it is not desirable to make the proposed legislation applicable from 1973 or 1974.

One must look at the history of one component of the present Gas and Fuel Corporation, a private company which apparently paid rates to the local council, in this case the City of Williamstown. Upon being taken over by the Gas and Fuel Corporation that body determined to approach the matter in the same way as it had since the earlier meeting in 1958 when there was agreement that \$2,000 should be made available as an *ex-gratia* payment to the local council. That is a trifling sum when one considers that it has to be divided among all the councils involved. I would have thought that would be the rate payable to each council. It does not amount to much in today's language.

The corporation has steadfastly refused to pay rates and sought to have the matter resolved by a court of law. Like the State Electricity Commission, the corporation lost the court action. Subsequently, the State Electricity Commission lost its appeal. Apparently the Gas and Fuel Corporation has appealed against the decision of the court, but that matter has not yet been resolved. It seems reasonable to believe that the corporation may lose its appeal if the precept followed by the earlier case pertains.

Because of pending litigation the Gas and Fuel Corporation has not been paying rates for several years and has made only an *ex-gratia* payment to a number of councils. But those councils have been involved in expensive and costly litigation and, whether or not costs have been awarded to them, there is no doubt it must have been a continuing thorn

in their sides for some time. Therefore, the National Party is opposed to the suggestion that the provisions of the Bill be made retrospective. In other words, there should be no compensation to the councils involved, certainly for the past four or five years. In any case it is bad, in principle, if legislation is enacted retrospectively. It is even worse in this case. The National Party will support the foreshadowed amendment to be moved by the honorable member for Morwell if it is along those lines. There is no doubt that compensation should be paid and I urge the Minister to look into the matter.

It is difficult to comment on the broader decision of whether or not the Gas and Fuel Corporation should be liable to pay rates, as the matter is before the court, which will be considering all arguments. Land developers are forced to provide services at their own cost, whether they be water, gas, reticulation, postal and telephone or electricity services. All of those are paid by the subdivider and the utility is then handed over to the appropriate authority once the council takes over the subdivision. That is not the case with the Gas and Fuel Corporation, at least as far as I am aware. And yet, of course there is no doubt that there are problems when roads are dug up and so forth.

The provisions of the Gas and Fuel Corporation Act oblige the companies to reinstate and to compensate, where necessary. Nevertheless there is no doubt that a loss occurs to the municipal councils involved in the simple obstruction and restriction of roads and so on. That is inevitable and is accepted. Perhaps there is a case for an *ex gratia* payment or at least some recognition of the fact that the actions of suppliers of amenities can have adverse effects.

In my electorate, urban areas such as the City of Sale and the Shire of Rosedale are not particularly worried about the problem of rating of urban reticulation services, but another matter has been drawn to my attention. I am not sure whether this

matter falls totally within the ambit of the Bill, but it concerns the gas pipelines which traverse Gippsland and Gippsland East. Gippsland is saddled with easements of one sort or another, such as for discharging water, pipelines and power lines. A maze of services goes, in most cases, to other parts of Victoria.

The liquefied petroleum gas and oil lines from the Esso-BHP complex at Longford pass through the area and attract a payment. That payment is not called a rate; by agreement it is an *ex-gratia* payment which amounts to \$53,687 in the current period. A valuation rating was arranged by a meeting of the councils involved. The agreement is due to be renewed in the next financial year. It is based on the impediment to the land.

Mr. BALFOUR: It is based on the value of the asset in the land.

Mr. McINNES: It is based on the value of the asset in the land, the life of the pipeline and so on.

Mr. BALFOUR: The municipality receives its rate twice. It gets it once from the farmer and once from Esso-BHP.

Mr. McINNES: I do not see how the land can be rated twice if there is an easement on the farmer's land. Esso-BHP pays rates so, in substance, there is a return from the pipeline but that is not so in the case of the Gas and Fuel Corporation which likewise has pipelines running from my area to the city gate at Dandenong. The Gas and Fuel Corporation is exempt from those provisions. I fail to see why it should be. There should be some spin-off to the councils which provide the land or whose land is bisected by these lines. There are precedents for this in other areas such as oil related communities, about which I may speak at a later stage.

The question remains primarily one of retrospectivity. The Minister has said that if the corporation is made to pay rates, inevitably the cost will be passed on to the consumer. As it is a public corporation, largely but not completely publicly owned, because

there is a private shareholding, the extent of which I am not sure, the National Party does not object to the general purpose of the Bill, but it does oppose the way in which the Government has gone about the matter.

Following the comments by the honorable member for Morwell concerning the turnover tax that is taken annually from the State Electricity Commission and the Gas and Fuel Corporation, the National Party believes the Government should consider reimbursing part of the amount for the corporation's liability to make either an *ex-gratia* payment or pay rates. If the legislation is not pursued, some consideration should be given to this aspect by the Government.

I look forward to hearing the amendment foreshadowed by the honorable member for Morwell. The Government should look seriously at this matter because it will create a bad precedent. If it is supported, honorable members will be bound to support similar provisions on other occasions. That is one of the reasons why I see no real need to make the provision retrospective. An obligation will be incurred.

The decision of the court may well have been in favour of the complainants, the councils, and against the Gas and Fuel Corporation. The Government should not simply step in and disregard that background and introduce legislation absolving the corporation and cutting across quite a long period of litigation and controversy. Obviously the matter has received fairly substantial support from the 54 municipalities concerned. Clearly, the matter has stuck in the craws of the councils. The Government is hasty in providing for retrospectivity in this regard.

**Mr. FRANCIS** (Caulfield): I wish to direct my remarks to one aspect of the Bill only, namely, its retrospectivity, which is introduced by clause 1 (3).

The law has long recognized that, when statutes are enacted, it is most undesirable that they should operate retrospectively. That is a well recognized legal principle. Occasionally it is found that particular citizens are placed under a disability by reason of some particular statute. In those circumstances, it may be legitimate to introduce a Bill conferring retrospectively additional rights on citizens who have suffered some disability which should never have been theirs but that is certainly not the case with the present Bill.

Further, it is a trite legal principle that everyone is deemed to know the law. Unfortunately, we live in a community in which we are confronted with an ever-increasing volume of statutes, regulations and by-laws, so that in reality it is quite impossible for the average citizen to know the law. Even when the citizen goes to a lawyer for legal advice, the lawyer may have the greatest difficulty in telling him what the law is. If the State hereafter is to proceed upon the principle that, whenever it suits it, the State will introduce a statute and make it operate from some date in the past, the law will reach a state of complete uncertainty. No member of the public, no municipality or statutory body will know what his rights are at any particular time because he cannot disregard the fact that at some date in the future his rights, as they exist at the present time, will be changed retrospectively by legislation.

In my submission, there can be no adequate justification for making this Act retrospective to 1st October, 1973. That would take away the possible rights of particular municipalities without any justification. Indeed it is difficult to see how there could ever be justification for such action. If this Bill is made to operate retrospectively, then it will be a further very unhappy precedent. Unfortunately, there have been recently other instances of Bills being introduced and made to operate retrospectively. It is a highly undesirable

situation, and I believe in relation to this Bill it is simply highlighting what is a bad principle and should never be done by the Government.

**Mr. STEPHEN** (Ballarat South): I support the action the Government has taken. Contrary to what the honorable member for Caulfield has said, this Bill does not create a precedent because in 1968 an Act of Parliament was passed on a similar basis ratifying actions of the State Electricity Commission in a similar situation.

**Mr. McINNES:** Two wrongs do not make a right.

**Mr. STEPHEN:** On that basis, I believe the action the Government is taking is in the interests of the consumer. Prior to the purchase of the Colonial Gas Association Ltd. by the Gas and Fuel Corporation, the Colonial Gas Association Ltd. paid rates on some of its pipelines. Therefore, it was natural that the councils concerned should endeavour to recoup similar rates from the Gas and Fuel Corporation. However, the Gas and Fuel Corporation had not been paying rates on other similar pipelines throughout the city, and it consequently objected and took the matter to the Supreme Court for a decision. This decision went against the Gas and Fuel Corporation, and hence this Bill. It is easy, and proper, for many honorable members to question legislation which is retrospective, but it is clear why the Government proposes such retrospectivity on this occasion.

One of the major reasons for the introduction of this Bill is that there are still appeals pending, and the matter could not be cleared up to the satisfaction of anyone without it. The Gas and Fuel Corporation concedes that on the premises where it conducts normal sales of gas appliances for profit, it is prepared to pay rates, as is done by most other statutory bodies, and that principle is being retained in the Bill.

Therefore, although one can argue about retrospectivity on other occasions, on this occasion the Govern-

ment has no alternative but to bring this Bill forward in the way in which it is framed.

**Mr. STIRLING** (Williamstown): The introduction of this Bill has caused, to say the least, a great deal of concern and disappointment to the municipality of Williamstown. The City of Williamstown made its attitude to the Bill known very quickly, not only to the Minister but also to local members. In a letter to the Minister dated 19th September, 1978, the council stated—

Council is extremely disappointed and thoroughly disgusted to learn that the Gas and Fuel Corporation has the effrontery to carry on a protracted legal argument extending over a period of four years with this, and other municipalities, which culminated in a Supreme Court judgement that gas mains are in fact rateable land in terms of the Local Government Act. In the knowledge that it cannot sustain its misconstrued theories in a court of law, the Gas and Fuel Corporation is now, in stealth, endeavouring to have an unpalatable result rectified by what virtually is a manipulation of the legislation.

Surely if it had the courage of its convictions it would have in October, 1973, then taken steps to have the legislation amended. Although council was indeed fortunate in that the late Mr. Justice Harris awarded costs against the corporation, it still represents a wanton disregard for the expenditure of public funds which in this instance would amount to a sum in excess of twenty thousand dollars.

The council also referred to a matter that has been of some concern to it and stated—

Council's concern is further aggravated by the fact that more than two years ago contractors of the corporation blasted their way through streets traversing the width of the municipality in laying a natural gas main. To this day, council still awaits the satisfactory reinstatement of these streets which were practically blown out of existence in the rampage.

It is easy to understand the attitude of the Williamstown council, because in the municipality of Williamstown approximately 1 hectare in every 4 hectares is occupied by either State or Federal Government departments that pay no rates. I shall mention a few of these. Some time ago, an extensive area of railway land near the Williamstown Pier was for some months used as a shipping container storage area and this caused

a continual stream of heavy vehicles traversing the streets of Williamstown to the area where the containers were stored—yet the railways pay no rates to the City of Williamstown. The Melbourne Harbor Trust controls all the foreshore at Williamstown but pays no rates; the Williamstown dockyard is also located in the area, as is the Wiltona Hostel, where it is proposed to accommodate some 500 Asian refugees in the near future. No rates are paid on these properties. This will be another load on the municipality.

The council's attitude to this Bill is quite justified, in particular to clause 1 (3), the retrospectivity provision contained in the Bill referred to by other honorable members. I believe also that of all municipalities, the City of Williamstown has the most justifiable case for an *ex-gratia* payment. This is for the reasons I have mentioned—the area of Williamstown that is taken up by instrumentalities and Government departments, and also because the council has to maintain the roads in the vicinity of these areas, and yet it receives no rates from the departments which occupy these areas in Williamstown. I therefore believe the case of the City of Williamstown is justified.

**Mr. BALFOUR** (Minister for Minerals and Energy): I listened with a great deal of interest to what honorable members said concerning this Bill. I believe in principle they support the contention of the Gas and Fuel Corporation that it not be rated, but they have a problem whether this Bill should take non-rateability back to 1973. The honorable member for Morwell asked why this type of Bill was not introduced for the Gas and Fuel Corporation in 1968 when similar legislation was introduced for the State Electricity Commission. At that time I consulted with the Gas and Fuel Corporation and it considered that the arrangement it had been able to make with a number of municipalities was a satisfactory one and it did not want to upset those

arrangements. From its inception the corporation, which was set up by Parliament, has always held that as a statutory authority it was exempt from payment of rates. I suppose in those days the same situation would have obtained as existed in 1973, when the corporation took over the Colonial Gas Association Ltd. No doubt prior to the formation of the Gas and Fuel Corporation, the Melbourne and Metropolitan Gas Company and the Brighton Gas Company had been paying rates. However, the councils accepted the contention of the corporation, and an arrangement was made for the corporation to make *ex-gratia* payments to councils which had gas mains in their streets.

Because of the relationship which existed between the corporation and the councils in 1968, the corporation believed it was not necessary to introduce similar legislation to that which applied to the State Electricity Commission. However, when the Gas and Fuel Corporation took over Colonial Gas Association Ltd., the Williamstown City Council levied a rate notice on the corporation, which objected, and has objected ever since, to the amount of the assessment. It is not quite correct that the court has established a liability against the corporation.

I tried to make it quite clear in my second-reading speech that the late Mr. Justice Harris found that the corporation's gas mains were "land" within the meaning of section 251(1) of the Local Government Act 1958 and consequently were rateable property. That was the finding of the court.

The other court action which is still pending concerns the value that could be placed on gas mains in streets or other areas. That is at present a matter of contention.

If an award of money had been made to the Williamstown City Council, I am sure the Gas and Fuel Corporation would have paid it, and the Government would have insisted that it be paid. However, that did not

occur. I also make it plain that the *ex-gratia* payments that were being made to other municipalities terminated on 30th September, 1976.

Certainly the Government would not wish the provisions of the Bill in that area to be retrospective to 1973. The councils would be left with the money they have received.

In certain areas the corporation would still be obliged to make *ex-gratia* payments to councils where its actions have caused difficulties. There are instances in which the State Electricity Commission, both in the Latrobe Valley and Richmond, has been taking action beyond what would normally be expected, and has made *ex-gratia* payments.

Although I cannot promise anything on behalf of the Gas and Fuel Corporation, I can inform the House that it would be willing to examine the situation at Williamstown if a reasonable sum could be agreed on. I understand that so far no legal costs have been incurred by councils. If costs have been incurred, the corporation would be pleased to pay them.

The corporation took the case to the Supreme Court to get an answer of "Yes" or "No" on whether the land under which gas pipes are laid is rateable. The corporation had previously received divided opinions on this question from several Queen's Counsel, so it was decided that the proper way to settle the matter was to take it to the court, and the corporation undertook to pay all the costs involved in the court hearing.

Having received the court's decision, and believing that the corporation as a public authority should not be liable to pay rates, the Government introduced this proposed legislation. It was made retrospective because the amount that would be owed if that were not done is not known. No one has yet been able to place a valuation on the pipes in the ground. For instance, it would be extremely difficult to assess the

value of the pipes that were laid underneath Swanston Street, probably 80 or 90 years ago, or on similar pipes in other places.

The honorable member for Morwell mentioned Esso-BHP. That is a private company and is liable to pay rates to the municipalities through which its pipes go, in the same way as the Colonial Gas Association Ltd. used to pay rates to the city councils of Williamstown, Footscray, Box Hill and Oakleigh.

The honorable member also mentioned that the Premier of the day, Sir Henry Bolte, imposed a turnover tax on both the State Electricity Commission and the Gas and Fuel Corporation to provide funds for the Government. If the commission and the corporation had been private companies, they would have had to pay various taxes, including pay-roll tax, to the Government. The Colonial Gas Association Ltd. paid those charges, but because of the rates it had to pay, the gas bills it issued were about 5 per cent higher than those issued by the corporation.

If the Gas and Fuel Corporation is to be made liable for the payment of rates, it will have to pay rates to every metropolitan municipal council, and that can only be reflected by an increase in the price of gas supplied to the consumer. That virtually means that the consumer could be paying twice for the gas pipes in the street—once to the municipality, because of his residence in that street, and again, for the cost of the gas pipes.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 (Principal Act No. 6260).

**Mr. AMOS** (Morwell): I move—

Clause 1, lines 10–11, omit "be deemed to have come into operation on 1st October, 1973" and insert "come into operation on the day on which it receives the Royal Assent".

The clause contains the retrospective provision to which the Opposition is opposed, and that is the real nub

of the argument before the Chamber. Clause 1 (3) states—

This Act should be deemed to have come into operation on 1st October, 1973.

The Opposition believes that retrospective position should be abandoned, and that the Act should come into operation on the day on which it receives the Royal assent.

Again I refer the Committee to remarks about the dangers of Parliament enacting taxing laws made by the Right Honorable Sir Kenneth Diplock, a Lord Justice of Appeal, and President of the Holdsworth Club of the Faculty of Law in the University of Birmingham, in his Presidential Address. I quote from page 6 of that publication—

Yet every revenue appeal that comes before the Court—generally after any dispute of fact there may have been has already been decided by the Commissioners—involves a dispute as to whether a particular kind of gain is taxable, whether a particular kind of document attracts stamp duty. Whenever the Court decides that kind of dispute it legislates about taxation. It makes a law taxing all gains of the same kind or all documents of the same kind. Do not let us deceive ourselves with the legal fiction that the Court is only ascertaining and giving effect to what Parliament meant. Anyone who has decided tax appeals knows that most of them concern transactions which Members of Parliament and the draftsman of the Act had not anticipated.

Honorable members know that is correct, but as the honorable member for Caulfield said today, the courts deal only with retrospective actions and with Acts of Parliament making laws that have already been in existence. Therefore, they act on past practice and their rulings are based on past practice and precedents. The moment Parliament starts changing the ground rules, the judges have the utmost difficulty in reaching decisions. It would be chaotic if this type of practice were to continue in any vast way. It simply would not allow the courts to function properly, as they are supposed to function. That is an excellent reason why the retrospectivity clause should be opposed.

The justification for this retrospectivity clause that has been advanced by the Minister today concerns money,

*Mr. Amos.*

which suggests that the Gas and Fuel Corporation would have to meet a large commitment to municipalities, perhaps an unknown commitment, because of the difficulties associated with knowing the rate on gas mains running through municipalities. Nevertheless, it is presumed it would be a large commitment.

I clearly demonstrated before that the Government has the capacity to assist the corporation to meet this commitment without interfering with the court system, as we know it, by the passing of retrospective taxing laws such as this. It has that ability because of the tax it places on the Gas and Fuel Corporation and the State Electricity Commission, a tax that in the past eight years has caused the State Electricity Commission to pay \$115·604 million into consolidated revenue. Since 1970 the corporation has paid a total of \$214·9 million into consolidated revenue. If the Minister is sincere in his concern about gas consumers having to meet this commitment to municipalities, it is strange that little is said by Government supporters, or, indeed, by the Minister, on how gas consumers in the State pay this hidden tax to the Government in their energy bills. For the 1978 assessable year, \$5·8 million is being paid by the gas consumers of the State without their knowledge. It is difficult to find this money in the Budget Papers, but every gas consumer pays this tax.

The best way of overcoming the problem of meeting the tax liabilities of the corporation is for the Government to return some of that money to enable the corporation to meet that commitment. There have been far too many validating Acts before Parliament seeking to validate certain actions of statutory authorities and Government departments. It is not good enough for the Government to keep returning to Parliament and saying that it thought the situation was all right, a nice agreement was reached and it did not think it would come to this, but it has, and will

Parliament please validate the action of a particular Government agency or department, or in this instance, that it thought the situation was all right because of an agreement reached between the municipalities and the Gas and Fuel Corporation.

However, since 1973 when the Colonial Gas Association Ltd. was absorbed by the corporation, there has been this tax liability question which has now been found in favour of the Williamstown City Council. Because it will involve a payment of money honorable members are asked to validate and exempt the corporation from the payment of rates retrospective to 1973. Therefore, it is deemed that the corporation never had such a liability. I believe that is wrong in principle, because it places the courts in an invidious position and it denies natural justice already obtained through the courts of the land for the City of Williamstown, which has expended some \$20,000 on litigation. I know that the corporation generously said that it would pick up the tab, but it is still \$20,000 of taxpayers' money going in that way as the result of poor administration.

The simple analogy to which I referred before which was made by the former honorable member for Williamstown, Mr. Floyd, is perhaps the best example. One cannot change the result of last year's grand final. What is done is done. The public of Victoria cannot be expected to accept that the taxation liabilities of three years will be changed. That is not on. If the law said in 1973 that the corporation had a liability, which has now been confirmed by the Supreme Court of Victoria, that must stand and that liability must be met to the Williamstown City Council, the Altona City Council and any other municipality in Victoria to which the corporation had a liability. If it is a matter of where the money comes from, I suggest that the vehicle should be the turnover tax that the Government has milked from the statutory authorities over the past ten years and not this retrospective

clause that the Minister suggests is the best way of resolving the problem.

**Mr. BALFOUR** (Minister for Minerals and Energy): The Government does not accept the amendment proposed by the honorable member for Morwell. I have endeavoured to make it clear that in the court hearings it was a matter of whether or not the corporation was rateable. The objections which the corporation lodged to the ratings of the Williamstown City Council, as to what the valuation of the assets might be and what the amount of the rate might be, have not yet been decided. Had that been decided by the court, as I said before, I am sure the corporation would have paid it and that the Government would have insisted that it be paid.

The honorable member for Morwell suggests that the Government could easily pay whatever might be due out of the turnover tax revenue. I assure the honorable member that that tax was imposed for specific purposes. It is still required by the Government and if additional moneys are to be found to pay rates to the municipalities, they will come from the gas consumer.

I am not keen on retrospectivity and neither is the Government. I listened with interest to the honorable member for Caulfield and also to the honorable member for Morwell, who made a submission in which he quoted similar cases. I do not believe this case is entirely the same as those. The proposed legislation clarifies the situation. As no definite amounts of money have been established as owing, if it had been decided that the legislation would not become effective until after receiving Royal assent—which would be within the next few weeks—what would have happened about the past few years? Who would have decided what amounts of money were owing by the corporation?

I have indicated that if legal expenses are outstanding the corporation will be happy to examine that situation. Some municipalities be-

lieve certain actions of the corporation have not been to their benefit. The corporation will also be happy to consider *ex-gratia* payments in those circumstances.

Had the City of Williamstown been able or willing to join in the agreements made at an earlier time between the corporation and other municipalities in the metropolitan area, this matter would probably never have arisen. The City of Williamstown would have been paid some money, as were the municipal councils that entered into earlier agreements to accept certain sums of money in lieu of rates. At that time the corporation held the belief that it was not liable to pay rates.

The Bill will certainly make the corporation's liability for rates clear, and I hope its passage will mean that the corporation will be able to resume business and get on with the job without any arguments about how much has to be paid. I reiterate that I do not accept the amendment.

**Mr. FORDHAM** (Footscray): I support the amendment moved by the shadow Minister for Minerals and Energy. Part of the electorate that I represent falls within the City of Williamstown and, like a number of honorable members, I have received representations from that city expressing great concern about the way in which the corporation and the Government have treated it. This is an important matter of principle and it has also been an expensive matter for the City of Williamstown, which, as many honorable members are aware, has a very high proportion of its rateable area occupied by public instrumentalities, authorities and departments of one sort or another. The council is understandably upset about having this sort of blow delivered at this stage. The language used in the city's correspondence may seem intemperate to some honorable members, but it is understandable when viewed in this context.

I wish the Government had accepted the amendment introduced by the Opposition because, surely, if an

element of retrospectivity is to be introduced in cases of this nature, it ought to be done after prior agreement between the various parties has been reached. In this case the Government is attempting to impose its own solution on the City of Williamstown and the other interested bodies. It would have been preferable to have had negotiations, perhaps under the guidance and chairmanship of the Minister, to discuss the sort of settlement and arrangement that could be made between the City of Williamstown and the Gas and Fuel Corporation. Legislation to make the future situation quite clear could then have been introduced following the agreement. That was not what took place. This Bill has simply been thrust on the municipalities out of the blue and this has, quite rightly, raised the ire and concern of councillors and many ratepayers.

I am delighted that the Minister has commented on the possibility of *ex-gratia* payments being considered by the Government as a matter of policy for the future.

**Mr. BALFOUR:** I said they would be considered by the corporation in this case.

**Mr. FORDHAM:** The Minister is keen to put distance between himself and the corporation on this matter. Policy decisions of this nature ought to be made by the Government and not by one corporation or one arm of the Government. Municipalities such as Williamstown argue, quite rightly, that, as a certain proportion of the rateable areas of their municipalities has been taken over by State and Federal Government departments, there ought to be a mechanism through which they can be recompensed to ensure their financial stability and viability for the future. That is why I hope this indication from the Minister is only the start of possible discussions between municipalities and the State Government to endeavour to meet the needs of councils that are hard hit by this sort of circumstance.

My colleague, the honorable member for Williamstown, has already raised other aspects of concern to the City of Williamstown and its rate-payers. There have been problems with the Gas and Fuel Corporation in a number of other areas, particularly in Craig Street, Spotswood, concerning reimbursement for rates. I fully support the honorable member's comments and the concern of the city at the way in which it has been treated by the Government and the corporation, and I fully support the amendment moved by the Opposition spokesman.

The Committee divided on the question that the expression proposed by Mr. Amos to be omitted stand part of the clause (Mr. Templeton in the chair)—

|                                     |    |    |    |
|-------------------------------------|----|----|----|
| Ayes                                | .. | .. | 34 |
| Noes                                | .. | .. | 28 |
| —                                   |    |    |    |
| Majority against the amendment .. 6 |    |    |    |

# AYES.

|                  |                |
|------------------|----------------|
| Mr. Balfour      | Mr. McClure    |
| Mr. Birrell      | Mr. McKellar   |
| Mr. Borthwick    | Mr. Mackinnon  |
| Mr. Burgin       | Mr. Plowman    |
| Mr. Collins      | Mr. Rafferty   |
| Mr. Cox          | Mr. Ramsay     |
| Mr. Dixon        | Mr. Scanlan    |
| Mr. Dunstan      | Mr. Skeggs     |
| Mr. Ebery        | Mr. Smith      |
| Mr. Evans        | (South Barwon) |
| (Ballarat North) | Mr. Smith      |
| Mr. Gude         | (Warrnambool)  |
| Mr. Hamer        | Mr. Stephen    |
| Mr. Hayes        | Mr. Thompson   |
| Mr. Jona         | Mr. Williams   |
| Mr. Lacy         | Mr. Wood       |
| Mr. Lieberman    | Tellers:       |
| Mr. McArthur     | Mr. Coleman    |
| Mr. McCabe       | Mr. Richardson |

# NOES.

|              |                  |
|--------------|------------------|
| Mr. Amos     | Mr. Roper        |
| Mr. Cain     | Mr. Ross-Edwards |
| Mr. Cathie   | Mr. Sidiropoulos |
| Mr. Crabb    | Mr. Simmonds     |
| Mr. Culpin   | Mr. Simpson      |
| Mr. Edmunds  | Mr. Stirling     |
| Mr. Fogarty  | Mrs. Toner       |
| Mr. Fordham  | Mr. Trezise      |
| Mr. Francis  | Mr. Whiting      |
| Mr. Ginifer  | Mr. Wilkes       |
| Mr. Hann     | Mr. Wilton       |
| Mr. Jasper   | Tellers:         |
| Mr. Kirkwood | Mr. McInnes      |
| Mr. Lind     | Mr. Remington    |
| Mr. Mutton   |                  |

# PAIRS.

|               |                  |
|---------------|------------------|
| Mr. Loxton    | Mr. Evans        |
|               | (Gippsland East) |
| Mr. Maclellan | Mr. Doube        |

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.

# APPROPRIATION MESSAGE.

The SPEAKER (Sir Kenneth Wheeler) announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the Land Tax Bill.

# COUNTRY ROADS (BORROWING POWERS) BILL.

Mr. SCANLAN (Minister of Special Education): I move—

That this Bill be now read a second time. It amends the Country Roads Act 1958 to authorize the Country Roads Board to borrow money by the issue of inscribed stock or debentures in a similar manner to other statutory authorities and increases the board's overdraft limit from \$1 million to \$5 million.

At present the board has limited borrowing powers and does not have power to raise funds by the issue of debentures and inscribed stock. The Government has decided that the board should have access to wider forms of finance to provide greater flexibility in road funding.

Clause 4 of the Bill makes provision for the board, with the consent of the Governor in Council to borrow a maximum of \$100 million. The power to raise funds by the issue of debentures and inscribed stock will supplement other funds available to the Country Roads Board.

The borrowings will be secured on the revenues of the board and the Government will guarantee the repayments of principal and payments of interest. This is in line with Government guarantees provided for borrowings of other major statutory authorities.

Expenditure by the Country Roads Board in the current year is estimated to be in excess of \$235 million. This includes \$129.6 million from State resources and \$106 million from the Commonwealth through the return to Victoria of portion of the fuel excise paid by Victorian motorists.

Honourable members will be aware that, despite a recommendation by the Commonwealth Bureau of Roads, now incorporated in the Bureau of Transport Economics, Commonwealth grants of \$171.1 million should be available to Victoria in 1978-79 for the maintenance and construction of roads—only \$106 million will be provided.

Victorian motorists are expected to contribute some \$220 million in the current year to the Commonwealth through fuel excise charges. The amount of \$106 million being returned to Victoria as road funds represents less than 50 per cent of the amounts collected from Victorian motorists.

The failure of the Commonwealth to provide an appropriate level of road funds for Victoria and its insistence that these funds be expended in specific categories has severely hampered the Government in its objective to maintain and improve roads throughout Victoria.

Roads are a major capital resource of the country and are vital to the everyday movement of people and services throughout the State. The maintenance of a proper road system is essential for all sections of the community. Other Government bodies have access to borrowings for the provision of infrastructure and essential services. The Government believes that the Country Roads Board should also have access to this form of funding.

Clause 5 of the Bill repeals the provision in the principal Act for the board to obtain temporary advances from the Public Account of up to \$1 million. Clause 4, by the insertion of section 31G in the Country Roads

Act, provides greater financial flexibility to the board. This section authorizes the board to obtain temporary accommodation up to \$5 million from Victorian banks by overdraft or other means approved by the Honorable the Treasurer.

The present limit of \$1 million on the board's temporary borrowings was fixed in 1921—clearly this figure needs revision. The increase in temporary accommodation to \$5 million and the greater flexibility available through overdraft will assist the board in making better use of funds available for road purposes. I commend the Bill to the House.

**Mr. CRABB** (Knox): I move—

That the debate be now adjourned.

**Mr. SCANLAN** (Minister of Special Education): I suggest that the debate be adjourned until Tuesday week.

**Mr. FORDHAM** (Footscray): This is a major piece of legislation and to debate it sensibly would require a detailed financial analysis of the operations of the Country Roads Board over the past four or five years. A further aspect I should like the Minister to take into account in considering a time for the resumed debate is that in many ways the measure can be seen to be, at least indirectly, a Budget Bill. Normally, Bills of this nature are not brought before the House until the Budget has been adopted. Only the greatest optimist would suggest that the Budget is likely to pass through the House on Tuesday week. It would be in the interests of the House and proper consideration of the legislation for further debate to be adjourned until Tuesday fortnight.

**Mr. SCANLAN** (Minister of Special Education) (By leave): In the Government's view the Bill is really a financial measure and not as complicated as the Deputy Leader of the Opposition may think. If the Opposition requires additional time the Government is quite happy to accept the Opposition's proposal and to agree to the debate being adjourned until Tuesday fortnight.

*Mr. Scanlan.*

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, October 17.

### ORDER OF BUSINESS.

**Mr. THOMPSON** (Minister of Education): By leave, I move—

That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

**Mr. FORDHAM** (Footscray): This is yet another indication of the Government's inability to organize satisfactorily the business of the House. This is the third motion requiring the House to jump from one part of the business paper to another simply because Bills and Ministers' speeches are not ready. If the Government is at last so keen about bringing in Bills there is no reason why they should not be ready right from the outset. The Opposition welcomes the resumption of debate on the Appropriation Bill, which should have been the first business to be dealt with, but the Government should be criticized for not organizing the business of the House in a much more satisfactory manner.

**Mr. THOMPSON** (Minister of Education): I believe that the Bill will be ready in three-quarters of an hour. It was the Government's aim to bring in as many Bills as possible to afford the Opposition as long a period as possible to study them. The Government still trusts that it will be possible to bring the Bill before the House this afternoon.

The motion was agreed to.

### APPROPRIATION (1978-79, No. 1) BILL.

#### *Budget Debate.*

The debate (adjourned from September 20) on the motion of Mr. Hamer (Premier and Treasurer) for the second reading of this Bill was resumed.

**Mr. LACY** (Warrandyte): I welcome the opportunity to contribute to the debate on the Appropriation Bill. In his reply to the Budget speech by

the Treasurer, the Leader of the Opposition said, "I don't know how the Premier put his Budget together". Although that was a rather honest comment, it is alarming when it is made by a person who aspires to be the Leader of the Government. The Leader of the Opposition then outlined what he would do if he were responsible for designing the State's budget. He referred to a document entitled, *The Wilkes Plan—Australian Labor Party Economic Policy Initiatives—A blueprint for Victoria*. This document begins by asserting that—

Labor has carefully developed a set of policies to suit the needs of the time and the needs of the State.

Then follows, in 35 sentences, what purports to be a set of economic policies to meet those needs. One is compelled to conclude from its some 870 words that the initiatives referred to are the major economic initiatives that the Opposition would take in its Budget if it were in Government. Under the heading "Expenditure Control" the Australian Labor Party spokesman states—

It is not good enough for departments to budget on the basis of a percentage increase over the previous year's expenditure. Victoria simply cannot afford the rush to spend departmental allocations before the end of one financial year to avoid having them cut back the next.

The first initiative outlined in the document and elaborated on it the Leader of the Opposition's speech is that a Labor Party Government would require departments to adopt zero budgeting. The document explains that by zero budgeting departments would be required to start their spending estimates from scratch and to justify every proposed item before it was adopted. This is based on the premise that departments currently practise what I term incremental budgeting. This means that the estimate contained in the departments' budget submissions is formulated by simply determining a percentage increase over the previous year. How accurate is that premise?

Does the present Budget provide any evidence that that is the practice adopted by the departments?

I take but one line of the 1978-79 Estimates to test the premise that all the departments and the Ministers do is determine a simple percentage increase on the previous year's expenditure, and that decides the submission for the Budget. I refer to the one line "Departmental Travelling and Subsistence Allowances". This is an item with which one could most expect an estimate to be determined incrementally by simply adding a percentage to the payments for the previous year. Has it been done in this way in the submissions to this Budget? For some departments the amount estimated for this particular line has gone up but for other departments it has gone down.

For example, in respect of item 1 on page 19 of the Estimates for the Premier's office, which is general expenses, under which travelling and subsistence allowances amount to \$134,000, paid out in 1977-78 and it has increased to an estimated \$142,000 in 1978-79. However, travelling and subsistence in the Ministry of Consumer Affairs has gone down from \$21,000 to an estimated \$18,000 this year. So far as the police are concerned, page 36 of the Estimates reveals that travelling and subsistence has increased from \$1.5 million to \$1.6 million. Page 47 of the Estimates reveals that so far as the Department of Labour and Industry is concerned the amount has decreased from \$176,000 to \$166,000. Page 44 of the Estimates indicates that in the Department of Youth, Sport and Recreation the payment has remained the same amount of \$32,000. For the Chief Secretary's Department the sum of \$6,000 referred to on page 33 has remained static.

Even within the same departments there are variations of increases and decreases for different divisions. For example, for the Department of Education, travelling and subsistence allowances have increased in the primary division but decreased in the

teacher education division. Similarly, in the Social Welfare Department the estimate for travelling and subsistence allowances has increased for the Family Welfare Division but decreased for the Training Division. These figures reveal that contrary to the premise upon which the Wilkes plan has been devised, there is not only no simple percentage increase at the departmental level but there is also no percentage increase at the divisional level upon which the departments have based their estimates.

What has in fact happened is that each division has had to justify to the department head and to the Minister each item in the divisional estimate.

Mr. EDMUNDS: I direct attention to the state of the House.

*A quorum was formed.*

Mr. LACY: When we have the major effect of zero budgeting, already being practised at a divisional level, can we afford to relax our standards as the Wilkes plan would and only require zero budgeting at the departmental level? But the implementation of zero budgeting for departments has far greater implications than simply preventing incremental increases in estimates.

Firstly, zero budgeting means that every department's submission to Treasury for the budget has to justify not only the need for the continuation of the programmes it administers and the changes within those programmes but also for the continued existence of the department itself. This means that the Education Department would in its budget submission have to argue a case not just for funds to build new schools and extensions to existing schools it believes the State needs, but whether the State has a need for any schools at all and whether there is indeed a need for the department. It would have to argue a case not merely for the employment of additional teachers to teach in our schools, but whether the department should employ any teachers. Similarly, the

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Department of Health would have to make submissions in respect to its hospitals and nurses. If zero budgeting was adopted by Treasury, the department would have to justify the very existence of hospitals. Similarly, the Social Welfare Department with respect to gaols and warders and the Police Department with respect to its police stations and policemen would have to make relevant submissions.

Secondly, the departmental submissions would become very much different documents under the Wilkes plan. Instead of providing detailed information of the proposed changes in the department's activities they would have to provide volumes of general information on issues which have long been resolved and where the need is obvious. It would require a lot more bureaucratic work and the employment of a lot more public servants and must, therefore, result either in the diminution of Government services to the public or in greater taxation to provide an increased bureaucracy to cope with the additional work.

Thirdly, the question of whether or not a department or a particular programme continues to exist is not one that needs to be justified every year. A review of that magnitude may be appropriate for some departments and programmes every three years. Is there really any question that the Education Department, the Department of Health, the Social Welfare Department, the Country Roads Board, VicRail, the Housing Commission, or the Police Department should continue to provide the basic services for which they are responsible? If so, why waste the time of everyone in writing and reading, first, second and third drafts of submissions justifying their existence every year.

Fourthly, a departmental review of programmes is constantly being done. That is what the process of Government is about. Look at the new departments and new programmes

that have been developed over the past few years and look at the changes that have been made to existing programmes. Is there any need for zero budgeting to bring about those changes? Look at the economies that have been achieved and one will realize that zero budgeting is not needed to bring about expenditure control. It is an initiative that would be both costly and unnecessary.

Under the heading of economic stimulus "The Labor Blueprint" asserts—

Millions of dollars have been hidden away in the reserves of State Government bodies... While housing, transport, sewerage and many other urgently needed public projects are cut back to the bone, the idle money the Treasury and Statutory Authorities such as the S.E.C. are holding in short-term securities keeps on growing. Therefore, as its second major initiative a Labor Government would convert Treasury reserves held in cash and investments into current account expenditure on public works. Apart from the misrepresentation which is conveyed in this statement, in the emotive language used by the Leader of the Opposition when he uses terms like "idle money" and "hidden away", this initiative is also founded on a false premise. The premise is that there are millions of dollars held in reserves that can, without detriment to the people of Victoria, be readily and simply spent on public works.

Mr. KIRKWOOD: You disagree with that?

Mr. LACY: Yes. Let us look at those reserves and at how much, if any, of those current Treasury reserves can be so transferred.

Mr. EDMUNDS: I again draw attention to the State of the House.

*A quorum was formed.*

Mr. LACY: On page 35 of the Budget Papers there is a statement of Treasury balances as at 30th June, 1978. That statement reveals that the total Treasury balances represented by cash and investments amount to \$282.9 million. Nearly \$29.8 million

of this is in cash balances. If we turn to page 3 of the Budget Papers we find a summary of the payments from the Consolidated Fund. This reveals that the total payments for this State are estimated at \$3,554.3 million for 1978-79. That is \$68.3 million a week. The State's cash balance of \$29.8 million therefore represents something less than 2.5 working days expenditure, given that a working week has five days. I doubt whether any other major enterprise would operate with such a tight liquidity. It can be seen therefore that these cash balances of \$29.8 million cannot be spent on public works. That leaves \$253.1 million of the total Treasury reserves of \$282.9 million.

Following the initiative of the Premier to assist young couples buying their first homes through co-operative housing societies, and to stimulate the building industry, \$55 million of the money is being held for housing assistance. The Leader of the Opposition would not be planning to use any of that money for public works! Of the Treasury reserves of \$282.9 million, when that \$55 million is accounted for, \$198.1 million is left.

I turn to the national accounting statement of receipts and outlays of the Consolidated Fund for 1978-79, which the Treasurer made available to assist honorable members in appraising the receipts and outlays of the Consolidated Fund according to the classification used by the Australian Statistician for the Government sector in the estimates of national income and expenditure.

Under the heading "Transfers to and from Trust Funds", there are two sub-headings. One is "Items not elsewhere allocated" which involves a net reduction of trust funds by \$2.9 million and the other item, "Change in Trust Fund balances for allocated items", involves a net reduction in trust funds of \$42.5 million. Of the latter amount, \$39 million is held in the trust funds for expenditure on hospitals during 1978-79. Those two amounts total \$45.4 million and

would clearly be unavailable for expenditure on public works in accordance with the Wilkes' blueprint for Victoria's economic development, unless, by making the Health Commission engage in zero budgeting, it was discovered that the State's public hospitals were really no longer needed. Therefore, of the \$282.9 million, the amount left is \$152.7 million.

The Government has invested \$15 million of that in shares in the Gas and Fuel Corporation. I doubt whether a left-wing Socialist Government such as that which would be led by the Leader of the Opposition would be interested in selling these shares, for they are the means whereby the Government owns and has control over the Gas and Fuel Corporation and its new exploration rights in Bass Strait. This Government certainly has no intention of selling out the interest of the people of Victoria in the resources of Bass Strait for the purpose of converting its investments into current account expenditure. We now have left \$137.7 million of Treasury reserves.

Let me now turn to page 39 of the Budget Papers to look at the Trust Fund itself. Item 4 is headed "Suspense and Clearing Accounts to Facilitate Accounting Procedures". There follows a list of suspense and drawing accounts used to allow the Treasury to operate. The biggest is the pay-roll deductions suspense account which, at 30th June, held \$37.1 million. This account exists because of the time lag created by the fact that State employees are paid fortnightly whereas the taxation deductions from their salaries are payable to the Commonwealth monthly. Consequently, these pay-as-you-earn deductions are held in trust. At most, half of them are held for a fortnight.

The second largest account is the salaries and wages in suspense account. At 30th June, 1978, that account held \$13.8 million. These are funds from which salary cheques for the State's public servants will be drawn. All the accounts under item 4,

therefore, are transitory accounts—they are not even short-term balances. They total \$62.2 million. Clearly that money is unavailable for current account expenditure. There was \$137.7 million left. Now it is \$75.5 million.

I now refer honorable members to page 37 of the Budget Papers, where item 1 is headed “Accounts established to receive levies imposed by Parliament and record the expenditure thereof”. Most of the funds and accounts listed are of less than \$1 million. Apart from one fund, to which I shall refer shortly, the two largest are the Transport Fund with \$6.3 million and the Sports and Recreation Fund with \$5.8 million.

Bearing in mind that there is now only \$75.5 million left of the so-called idle money hidden away in vegemite jars on dusty Treasury shelves, the Insurers Guarantee and Compensation Supplementation Fund holds \$65.5 million of that amount. One would be entitled to ask the Leader of the Opposition whether that is the money about which he is speaking. The Leader of the Opposition talked about transferring \$50 million a year for the next two years into current account expenditure.

Presumably he is not going to raid the Transport Fund or the Sports and Recreation Fund. Even if he did, those funds hold only \$12.1 million between them, and then only temporarily. But the Insurers Guarantee and Compensation Supplementation Fund holds \$65.5 million which, admittedly, would provide a boost to public works if it were to be raided for that purpose. But, at what cost would it be raided in terms of principles of Government administration and at whose cost in terms of the ownership of the money?

As the title of this section of the trust fund account indicates, this \$65.5 million is held in trust following an Act of Parliament requiring persons or organizations outside the Parliament to pay into it. In this instance, the relevant Act is the

Workers Compensation Act. Section 96 of that Act establishes the fund. Section 97 provides that all surcharges payable by employers on insurance premiums paid to insurance companies shall be paid into the fund. That section also provides that any interest and any moneys recovered from claims shall be paid into it. Section 98 stipulates the purposes for which moneys shall be paid out of the fund. The first is the amount of any claim, award or judgment under the Act and the second claim on the fund is legal costs.

This is not revenue derived from taxes or charges. It is not Government revenue. It is private money. It involves surcharges paid by employers in insuring their employees for compensation against injury or sickness incurred as a direct result of their employment. Its purpose is to ensure that their just claims are always able to be met. It is manifestly not money that is available to the Government to spend on public works. The money in the fund has to be always readily available to be drawn to meet the compensation settlements of ordinary employees, the workers, whom the Opposition claims to represent.

To attempt to transfer that money into a form from which it would not be readily recoverable would be in breach of an Act of Parliament. It would also be an abrogation of the Government's responsibilities to a most defenceless group of people—employees who suffer injury or sickness as a direct result of their employment. It is not idle money. It is not money that is hidden away. From an analysis of the Wilkes plan, it would appear that the Opposition proposes to raid private insurance funds at the expense of ordinary maimed and sick workers, describing such a step as an economic policy initiative.

The third major initiative is under the heading “Tax Overhaul”. The proposal is that a Labor Government will, as a matter of urgency, review Victoria's tax laws for the benefit of

all Victorians. That initiative, like the other two initiatives, is extremely light on evidence of any need for such a review. Consequently, in view of the two initiatives which preceded it, I am very suspicious of it. I start to ask myself why a State Labor Government, as a matter of urgency, would want to review the State's tax laws. My suspicion grows considerably when I recall two facts of recent history with Labor Governments in this nation.

The first was the performance of the Australian Labor Party when it was last in power at the Commonwealth level. It was also keen on taxation reviews. It held one every year during which it was in office. That Government was always changing the rules. Of course that was always justified as being to the benefit of all taxpayers. But increasingly, ordinary Australians found that those benefits were hard to discern. On the other hand, the costs of those reviews and changes were immediate. Every year most taxpayers paid more tax, not just in terms of inflation, but in real terms as well.

The second cause for the heightening of my suspicion at the Wilkes plan for a taxation review, is as a result of reading a speech by one of the Australian Labor Party's economic spokesmen, at the Commonwealth level, Mr. Ralph Willis. In a speech to Labor economists as recently as 30th June, 1978, Mr. Willis had some quite alarming things to say about what the Australian Labor Party would do in Government, particularly in respect to taxation. He commenced by saying—and I quote from the Commonwealth record—

There is considerable uncertainty within the party as to what course we should now adopt.

He was speaking about the economy, and he went on—

That this (uncertainty) is so is a reflection . . . of the recent realization that economic issues are far more complex than seemed previously to be the case.

Mr. Willis went on—

We must tackle the conservative's ideology head-on and educate wage and salary

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earners, and their union leaders, not to be dazzled and deluded by tax cuts.

If Labor does not gain office next election then by 1983 . . . we would face a mammoth task in re-building the public sector.

And here is the rub—

and maybe an equally mammoth task in convincing the electorate that it should pay a higher level of tax to enable us to do so.

The third reason for my suspicion arises from the Wilkes plan itself. If, as I have demonstrated, it will require more public servants to write submissions to justify the existence of the departments, and if, as I have demonstrated, there are no Treasury reserves available to be converted into capital works, let alone more submission writers, then the Opposition will need greater taxation revenue to achieve its zero budgeting. The document does not indicate the sources of this additional revenue, but then Mr. Whitlam did not indicate his sources when he was in Opposition either, and there is a parallel. He had an interest in a proliferating public service that fostered new economic initiatives, and in most instances, his new initiatives resulted in little more than the employment of submission writers. The history of the Australian economy over the past five years reveals that we cannot afford such waste, whilst the history of Australian politics for the same period reveals that the electorate does not want it.

What the people of Victoria want is reduced taxation, reduced bureaucracy and increased services to people and families. That is precisely what the Premier's Budget does, and I commend it to the House.

**Mr. CATHIE (Carrum):** It seems a sign of the times and a sign of the declining fortunes in the Liberal Party that the honorable member for Warrandyte spent much of his time not talking about the Budget brought down by the Premier and Treasurer, but discussing the proposed budget of Labor when in office and the economic policies and issues we would take. The honorable member for Warrandyte discovered a whole set of variations within the Budget

Papers, and it is true that variations exist, but what is not found in the Budget Papers is any explanation for many of these surprising variations. For example, no reason is given why one item should be increased by 150 per cent and another item decreased by 35 per cent. Explanations for variations of this type are not to be found anywhere in the Budget Papers.

Mr. STEPHEN: Which items are those?

Mr. CATHIE: I will name both items to put the mind of the honorable member for Ballarat South at rest. They are the Keep Australia Beautiful Council which got an increase of 150 per cent—and I will refer to that later—and the Fisheries Management Committee which got a decrease of 35 per cent. There may well be an explanation for both of those, but it does not appear in these Budget Papers. Indeed, the Budget introduced by the Premier and Treasurer is unimaginative, drab, in many ways cruel and unfeeling, and quite unresponsive to the needs of ordinary people in the community. It ignores both the economic trends in Australia as a whole and the current economic reality. It supports the Fraser Federal Government and the Fraser Federal Budget. Honorable members do not have to accept only my word on that because prominent members on the Government side of the House have made that point absolutely clear. It is the judgment of prominent Liberals themselves. When a long-standing and senior Cabinet Minister of this Government resigned recently, what did he say? The honorable member for Dromana, the former Minister of Public Works—

**The SPEAKER (Sir Kenneth Wheeler):** Is the honorable member tying this in with the Budget debate?

Mr. CATHIE: Yes, Mr. Speaker. I have indicated that this Budget supports the strategy of the Federal Budget, and I want to show the relationship between the two. Mr. Dunstan said that Mr. Fraser was ruining the economy, killing the

building industry, and sacking his strongest loyalist Ministers. He said, "This man has gone mad". This was the judgment of the honorable member for Dromana. However, the Premier made it equally clear that he did not agree with those judgments, that he fully supported the economic strategy that is being carried out in Canberra and being imposed on this State and being established within the confines of this State Budget.

At the time the honorable member for Dromana resigned from the Ministry, the Premier made this statement—

We support the efforts of the Federal Government to bring inflation under control, and to set Australia on the path of economic recovery through strict economy in government.

Mr. BURGIN: Would you not support it?

Mr. CATHIE: I would not support this proposition, and I will indicate why in a moment. In other words, the Premier fully supports the Federal Budget, and there is no question about where he stands on economic management and strategy. We need have no doubts on that as the Prime Minister confirmed it only this month in an interview reported in the Age. He said—

Mr. Hamer has gone out of his way to tell me that he supports the thrust and purpose and generality of the Government's economic policies, on many occasions.

If one examines the Fraser Budget and the Hamer Budget, it will be seen that the economic policies are the same, the economic strategies are the same, and the Budgets are in reality the same. Therefore, I propose to examine some of the things that these Budgets do.

There is little doubt, and it has been confirmed in an article in the *Business Age*, that what is happening as a result of these Budget strategies is that the gap is widening in Australia between the wealthy and the poor, and that has already been committed by taxation concessions in which the wealthy do far better than the poor groups in the community. The results of this policy have been

indicated and confirmed by independent research. *The Journal of Australian Political Economy*, No. 2, for June, 1978, states as we are probably all aware, that wealth endures control over economic resources, and the use of economic resources available to people and their Government. It certainly gives a greater choice to the individual, and certainly greater control over his lifetime activities.

The study resulted in conclusions being reached about the distribution of wealth in Australia. The data examined by the research team revealed that 1 per cent of the adult population owns 22 per cent of personal wealth in Australia.

Mr. BURGIN: Who did the research?

Mr. CATHIE: As I said before, the details appeared in *The Journal of Australian Political Economy*, and the research was undertaken by two researchers at the Ku-ring-gai College of Advanced Education in New South Wales.

The study indicates that the top 5 per cent of the population owns 46 per cent of the wealth in Australia, and the top 10 per cent owns almost 60 per cent. In other words, half of all Australians own less than 8 per cent of the wealth in Australia; the top 5 per cent owns more than the lowest 90 per cent put together.

Expressed in another way, that means that the wealthiest 2,000 people in Australia own as much wealth as the poorest 2.2 million people. The wealthiest 10 per cent have 200 times the wealth of the poorest 10 per cent.

I can only conclude that the sorts of Budgets we are examining, Federal and State, are simply prescriptions for recession. The Government does not have to accept the judgment of the Opposition on this matter, because those are the words of Sir Charles Court, the Premier of Western Australia.

One of the points that arises as part of this general economic strategy is that no longer are the States a buffer against the cruel

policies of the Federal Government. The Treasurer's Budget speech makes it quite clear that he supports that general budget policy. The Treasurer stated in his speech, as reported at page 3652 of *Hansard*—

We also support a firm hold on expenditure in the Government sector.

and at page 3653 he referred specifically to a reduction in pay-roll tax when he stated—

... that the numbers on the departmental pay-roll have actually declined from 121,150 last year to 120,950 this year.

One must recall that over the past two or three years, because of the impact firstly, of the recession which operated in Australia, and secondly, of a succession of Federal Liberal Party budgets, the States and local government together were able to provide some sort of buffer in job opportunities against the policies that were operating in Canberra. Over the previous two years there has been an increase of 30,000 in the number of jobs available at State and local government level, and that was a significant safety valve in a generally worsening labour market throughout Australia. However, that situation no longer obtains.

As the Premier said in his speech, there has now been a reduction in the number of job opportunities made available through the State Budget. If honorable members examine judgments made overseas and events that are occurring in other countries around the world, they will see that those countries are adopting economic strategies opposite to those that the Victorian Government has accepted. A major factor in the growth of the chief Organization for Economic Cooperation and Development countries—and only three of them achieved a positive economic growth rate in 1975—was in every case a strong rate of increase in Government spending, which helped to cushion the shake-out in the private sectors of the economies of those nations. That is the strategy that should have been adopted in Australia. Instead, Australia is going in the opposite dir-

ection by introducing more restrictions, providing fewer jobs, and increasing unemployment.

Mr. BURGIN: Why didn't it work when the Labor Government was in office?

Mr. CATHIE: The Federal Labor Government was not left in office long enough to allow its strategies to work, and the honorable member knows that only too well.

The Federal Department of Employment and Industrial Relations, in a submission to the Crawford Committee of Inquiry into Structural Adjustment, made that very point when it stated—

It is noticeable that the sectors which seem likely to be the main providers of additional jobs in the future are those which, to some extent, depend on direct public expenditure.

So the key to tackling the recession in Australia is to be found in the public sector, and it is there that the Victorian Government, represented by honorable members on the other side of the House, is squeezing the job market at present.

Job opportunities are fewer, and in the whole of the Premier's Budget speech there is scarcely a reference to unemployment. Staff ceilings are in evidence everywhere. On the other hand there have been sharp increases in State taxes; increased gas and electricity charges for next year have already been announced; and steeper rail freight rates have been operating since 11th September.

To give the House a small example of the effect that this squeeze on jobs is having, I shall read from a letter signed by the District Superintendent of the National Parks Service, Ministry for Conservation. The letter is addressed to a permanent employee at the Fraser National Park, and states—

I regret that we have had to make retrenchments at Fraser. This action has been necessary as a result of the cut-back in Government spending.

Honorable members can imagine the result of that letter in a depressed rural economy. Imagine the effect on

rural towns in country Victoria where people have had permanent jobs for three or four years; every week they spent their pay cheques in the town and sustained the local retail trade, but now they have received a letter stating, "We are very sorry; it is Government policy. We have to sack you".

Mr. BURGIN: How many letters were sent?

Mr. CATHIE: I am aware of at least two other people who received a similar letter. The letter continues—

All areas within the service have been affected, and in some cases, the cuts have been more drastic.

That suggests that it was not confined to one area or locality.

I turn next to the section of the State Budget that deals with conservation. I mentioned earlier in my speech that there are strange variations in the way in which money is allocated within the various divisions and sections of the State Budget. The variations range from an increase of 150 per cent to a decrease of 35 per cent, and require some explanation.

For example, under the heading of "Conservation", the Ministry for Conservation—which I am sure is worth while and should be supported—received an increase of 15·4 per cent in its allocation. The Soil Conservation Authority, however, received only half that increase—an increase of 7·8 per cent. The Land Conservation Council received much the same, an increase of 7·7 per cent.

However, the Environment Protection Authority received an increase in its allocation of only 6·8 per cent, so if inflation continues to run at 7 per cent to 8 per cent, that will be a reduction in real terms.

On what basis are these various increases pertinent? The Port Phillip Authority actually has a reduction in this year's allocation of minus 1 per cent. Add to that the running cost of inflation, and it is seen to be a real and serious reduction.

Mr. DIXON: Would you prefer inflation to be increased?

Mr. CATHIE: Not at all. There is a balance between creating job opportunities and keeping inflation down to reasonable levels. Unfortunately this Government can see only one aspect of inflation. The Minister and the Government can see only the need to squeeze down inflation and pass the burden on to the poorest people in the community—those who are least able to cope with the damage this Government is inflicting upon them.

Increases such as 6.8 per cent to the Environment Protection Authority suggest that the allocation of funds within the Ministry for Conservation for environment protection has been downgraded. If I had any doubts about that, I need only turn to division No. 437 the Environment Protection Authority, and look at protection agencies. The increase over last year's allocation is only 1.7 per cent. That is a reduction in real terms of approximately 6 per cent. It means that the work of the delegated agencies in the environmental field, under this Budget, will be able to maintain only the *status quo*. It means in most cases the same number of staff, but with slightly reduced operating expenses.

In considering the delegated agencies, for example, the Dandenong Valley Authority, which covers the electoral district of Carrum which I represent, one notes that it requires increased staff to do its job properly. It particularly requires laboratory assistants, senior inspectors, a research officer and an administrative officer. If the honorable member for Ballarat South wants to know what they will do, I shall put it in the most positive way so that he can understand.

There is a need, particularly in the environmental field, to extend management policies to assist industry, especially small industry, in coping with the costs and demands of pollution control. The authority needs to

advise industry—sometimes it may be engineering advice, for example—rather than merely to act as policemen and tell industry what not to do. In fact, the latter is all the authority will be able to do because environment, under this Budget, has been downgraded.

Mr. BURGIN: Your statement goes against Labor policy. It does not wish to advise.

Mr. CATHIE: The honorable member for Polwarth does not seem to be well versed in the conservation policies of the Labor Party.

Mr. EDMUNDS: Or the Act itself.

Mr. CATHIE: I will deal with the variations to which I referred earlier. As one examines the Estimates for the Ministry for Conservation one realizes that the biggest increase of all, which is completely unexplained, is an increase of 484 per cent. At a time when there is a reduction in funds for the Port Phillip Authority, there is an increase of 484 per cent for postal and telephone expenses for the Ministry for Conservation. Why would the postal and telephone expenses of the Ministry for Conservation rise by 484 per cent in a single year. There is no explanation for that.

Mr. DIXON: What are the amounts?

Mr. CATHIE: The amounts set out in division No. 435 of the Bill are \$12,250 for 1978-79 and \$71,500 for this financial year. We come then to the Keep Australia Beautiful Council. I hear the honorable member for Mitcham say, "Hear, hear!", so that is obviously a matter close to his heart and attention. That allocation has been increased from \$40,000 to \$100,000—an increase of 150 per cent. Why is there not an increase of 150 per cent in funds for youth unemployment if there can be an increase of 150 per cent to a body such as the Keep Australia Beautiful Council?

Mr. DIXON: Does the Keep Australia Beautiful Council employ people?

**Mr. CATHIE:** No, it does not. The increase is going to many of the powerful and best friends of this Government. Let us look at who they are; who is represented on the council? Amongst others are: The president, Victorian chambers of commerce and industry, the Manager of Public Affairs of the Plastics Institute of Australia, the Public Relations Manager of the State Electricity Commission of Victoria, a member representing Jaycees International clubs of Victoria, Kiwanis, the President of the Victorian Employers Federation, the Manager of Public Affairs, ACI Ltd., various advertising agents and other public relations experts. These people can get the increased allocation to this body of 150 per cent and nothing is done, either by this Government or by the Fraser Government, to carry out recommendations about the litter problems in this community.

I refer briefly to the report of the House of Representatives Standing Committee on Environment and Conservation on deposits on beverage containers and a simple step that has been adopted in South Australia, which has achieved much in reducing litter in that community. Amongst other things, the committee concluded that the imposition of a substantial tax on beverage containers not carrying a deposit would be effective in discouraging their use by increasing the cost differential between contents of containers not carrying a deposit and those carrying a deposit. That was the committee's unanimous recommendation on tackling the litter problem in the community.

What do we find in Victoria? Many of those industries represented on the Keep Australia Beautiful Council are amongst the key lobbying groups handing out documents arguing against the conclusions of that House of Representatives standing committee, and making submissions against governments taking stronger and more preventative action to get to the source of litter pollution in this community.

Certainly, when we look at the details in the Budget, as the honorable member for Warrandyte has invited us to do, it would appear that the explanations behind what are surprising increases or decreases are to be found in the level of support this Government wants to find in the community.

I refer again to the Port Phillip Authority and to its allocation reduction. It is surprising that a body as important as the Port Phillip Authority in Victoria should have a reduced Budget allocation. It is even more surprising when earlier this year the coastal management study for the Port Phillip Authority made many recommendations and indicated the urgent need for effective management of coastal areas of Port Phillip Bay and for greater funding.

Yet, despite those proposals and recommendations, the Budget allocation to that body has been reduced. Equally, I am concerned about the administration of our coastal areas and the amount of money that has been allocated to off-shore erosion control. The Soil Conservation Authority's 28th annual report, 1976-77 shows that the reduction last year was huge. It was 45 per cent, almost half. The allocation was reduced from \$166,270 to \$95,000. So, although works around Victoria's bays and foreshores are urgently required, the Budget reduces the money available.

The Opposition has said that the Budget simply carries out the policies and economic strategies of the Fraser Government, and that the Premier fully supports those policies and strategies. The Opposition agrees with the remarks of Sir Charles Court, who said that those policies are only a prescription for recession.

**Mr. DIXON** (Minister for Social Welfare): I was most interested in the remarks made by the Leader of the Opposition about the Budget. The honorable member said that it lacked initiative and foresight. I have been at pains to examine the remarks made by the Leader of the Opposition in

an effort to discover whether they contained any evidence of initiative or foresight. I found no examples of initiative or foresight. In fact, all I found was praise for the Budget brought down by the Treasurer. The Leader of the Opposition is reported, at page 4046 of *Hansard*, as saying—

The Opposition supports a firm hold on expenditure in the Government sector. Most Governments throughout the Commonwealth support this now, and the Budgets that have been introduced in this nation over the past three weeks have all supported a firm hold on Government expenditure.

Members of the Opposition ought to get together with their Leader, because they have advocated increases in expenditure. They ought to ask the Leader of the Opposition whether it is he who leads the party and expresses its views, or whether that function is performed by back-bench members.

The Leader of the Opposition went on to say that the Opposition was attempting to learn the lesson, the need for which was shown in the disastrous Whitlam years when expenditure raged rampant and led to dramatic increases in inflation and was partly the cause of the economic circumstances we face today. The honorable member went on to say—

The Treasurer also advocates a reduction in Government spending as a protection for the gross domestic product, and nobody disagrees with that.

That means that the Opposition agrees that there ought to be a reduction in Government spending. I have sought to find in the entire speech of the Leader of the Opposition some example of the initiative and foresight he accused the Treasurer of failing to produce. I have looked and failed. I have failed because no such example appears in the speech made by the honorable member.

The proposals he put forward are, in essence, four-fold. Firstly, he said, there ought to be a complete review of the priorities and programmes of the State before the Budget is introduced. I advise the honorable member that that is precisely what takes

place in this State, in a continuing fashion. There is a continuing review of the priorities and programmes of the State before the Budget is introduced. Indeed, the great bulk of matters that are dealt with at Cabinet level or within the Liberal Party room are concerned with reviewing priorities and programmes before the introduction of the Budget. So, no new initiative is apparent in the first proposal made by the Leader of the Opposition.

The second step suggested by the honorable member was to tighten expenditure control on all departments. I suggest that the honorable member for Carrum should read his Leader's speech.

Mr. CATHIE: That does not contradict what I said.

Mr. DIXON: I am not saying it does; I merely suggest that the honorable member should read it. The second step suggested is that there must be a tightening of expenditure controls of all departments. The Leader of the Opposition is anxious that Victoria should introduce zero budgeting. I should like the honorable member to know that, so far as it is possible in the Social Welfare Department and the Department of Youth, Sport and Recreation, those departments examine their priorities on the basis of zero budgeting. It is a commendable concept, and I am sorry that the Leader of the Opposition has not understood that a number of departments examine their requests for allocations on the basis of zero budgeting.

The third step suggested by the Leader of the Opposition was to overhaul the Victorian tax structure. The honorable member put forward some minor suggestions of amendments to the tax structure that was proposed by the Treasurer, but in no way could they be said to be a new initiative or to display some new foresight in grappling with the problems and challenges of today.

The only suggestion that could possibly be construed as some sort of initiative was the misplaced and mis-

guided concept put forward by the honorable member on what might be done with trust balances. The honorable member for Warrandyte has pretty well disposed of the matters raised by the Leader of the Opposition in that context, but I shall add one or two remarks of my own. If one examines the total of the Treasury balances one finds that, after subtracting the amount that has already been advanced from the public account of \$29.9 million, one is left with \$283 million. The honorable member for Warrandyte went through each of the balances and showed that the breakdown between the funds available as cash balances and the funds held in the various trust funds and Government securities is appropriate. I challenge the Leader of the Opposition to do his homework again. If he does so, he will find that the sorts of comments he has made cannot be supported.

In fact, if one takes the amount of \$45.4 million of trust funds that the Budget proposes to use and adds to that the amount of \$55 million that will be held in banks on a long-term basis to support the Government's housing initiatives, one finds that a total of \$100 million from the Treasury balances is being used by the Budget. One can go through all of the balances held by the various authorities, such as the State Government Insurance Office, the Melbourne and Metropolitan Board of Works, the State Electricity Commission, the Housing Commission, the State Electricity Commission Superannuation Fund and the State Superannuation Fund and find, after analysis, that the balance between liquidity on the one hand and suitable investment on the other hand is quite appropriate. Therefore, I discount the theories put forward by the Leader of the Opposition and cannot understand from where all the magical funds to which he refers will come.

One of the most interesting suggestions made by the Leader of the Opposition—and it illustrates to us all his complete misunderstanding of

the situation—was the use that could be made of Treasury notes. His suggestion was that the State Government should produce Treasury notes which could be subscribed and used in consolidated revenue during the next few years. That suggestion makes apparent to the people of Victoria the complete misunderstanding of what can be done with Treasury notes by the Leader of the Opposition, the potential alternative Treasurer.

The Australian Loan Council borrowing agreement with the States, says, in clause 5—

Subject to any maximum limits decided upon by the Loan Council from time to time for interest, brokerage, discount and other charges, the States may borrow money from State authorities—  
and so on.

Any securities that are issued for moneys so borrowed or used shall be Commonwealth securities.

Therefore, the State Treasury notes suggested by the Leader of the Opposition would have to be Commonwealth securities. Section 5 continues—

Where any such borrowing or use is solely for temporary purposes the provisions of this agreement . . . shall not apply.

Therefore, the only way in which the idea put forward by the Leader of the Opposition could be used is if the borrowings were for temporary purposes. But what did the honorable member suggest about the use of these funds? He suggested that they ought to be used in employment-creating projects, such as building houses and roads. Those are certainly not temporary purposes.

It is obvious that there is no way in which the only suggestion put forward by the Leader of the Opposition could be implemented, because those funds would not be used for temporary purposes; they would be used for permanent construction to provide employment and would therefore come directly within the terms of the Loan Council agreement. No net gain to consolidated revenue would occur.

Mr. CATHIE: That is semantics.

Mr. DIXON: It is not semantics. The Leader of the Opposition has suggested that an additional \$100 million would be made available. He has completely ignored the premise upon which his scheme would operate, which would negate the effect on the Consolidated Fund. It is a piece of tripe.

One of the critical questions which must concern this House is unemployment and employment directives of this State Government. That is probably the most serious question facing the country and it deserves full debate in this House, indeed full debate in the community.

I was interested to read an article by Frank Wilkes, the State Labor Leader, entitled "Robbing our jobs; Labor speaks". I do not want to turn the issue of unemployment into a political issue because I believe all sections of the community must understand the significance of it and that an unfair burden is being placed upon certain disadvantaged groups in the community, particularly young people and particularly young migrants. We must go out of our way to ascertain what can be done to alleviate those burdens and, if possible, to create employment or, alternatively, create worth-while alternatives so that a sense of purpose and belonging can be retained by members of the community.

What is the contribution by the Opposition? Members of the Opposition say much about the Government not putting forward initiatives or proposals. Shortly I will answer that criticism by putting forward proposals. I read from the article written by the Leader of the Opposition, who, when talking about new technology and machines, said—

The machines have not liberated people at all; we have been persuaded that that is the case—persuaded that what is manifestly bad is good. Black becomes white on the altar of the technocrats with their multi-memory calculators instead of hearts. I am quite proud that it was the Labor Party in Victoria that was the first political party in the world to call a halt.

The Leader of the Labor Party in Victoria is saying that the answer to the problem of creating additional jobs is simply to stop the advance of technology.

This Government supports the major thrust of the Fraser Federal Government that we must proceed with technology, and that one way in which Australia will eventually have more jobs is by doing things in a smarter way. If we can do that sufficiently efficiently and build up our export industries to such a strength that they can compete on world markets—there are 4,000 million people to whom we can sell—we will be moving in the right direction. I have seen these sorts of things occur in Israel where the idea of working more smartly has been taken to heart, and where people work with the best of technological advances.

I repudiate that the answer to the problem of creating employment is to stop the advance of technology. It must be recognized that we need technological advance and must find ways and means of better enabling employment to march hand in hand with that technological advance. In that sense there are no black and white solutions but an extremely complex situation which must be fully explored. I shall proceed to do that.

Recently the Premier appointed me as Chairman of the Youth Employment Committee. That committee has been charged with the responsibility of considering employment options in the State of Victoria, and looking at the social ramifications of unemployment so that we can do our best to ensure that people can retain their dignity and live at a sensible standard of living, whether employed or not.

The first thing that occurred was that the committee was substantially strengthened. It was built on the Youth Unemployment Standing Committee which proposed the most worth-while initiative taken by this Government directly in the field of youth unemployment—to take up the

Federal Government subsidy and employ young people in State Government offices. Originally 250 people were employed in the country and in this Budget the number has been increased to 2,000. That is a most worth-while initiative.

The second thing that the committee did was to recommend the expenditure of some \$36 million on job creation schemes. That suggestion was rejected by this Government on the ground of insufficient money being available. A request was made to the Federal Government to contribute towards those schemes, but the answer was "No". The Federal Government has said that it was not interested in job creation for a short period but wanted to ensure that there were permanent jobs available for the Australian people. In the broad sense I support the argument, although I believe a range of schemes and initiatives must be considered because we live from day to day, and for many people the short term can become the long term unless something is done.

However, I still believe some of the initiatives put forward by the Youth Unemployment Standing Committee that were contained within that job creation scheme, insofar as they looked at new types of jobs, were important. They will not go on the scrap heap. They will be reinvestigated to ascertain where new types of jobs at less cost can be fitted into the Victorian community.

Members of the Youth Employment Committee other than myself and Mr. Neville from the Department of Youth, Sport and Recreation, are: Mr. Angus from the Youth Hostels Association; Mr. Barwick, Assistant Director-General (Building) from the Education Department; Mr. Benjamin, Director, Office of Research and Social Policy, Social Welfare Department; and Mrs. C. Benn, Associate Director, Brotherhood of St. Laurence.

In that regard \$25,000 has been allocated to the Brotherhood to advise on what better use can be made of existing Federal schemes, particularly

for disadvantaged groups. With co-operation between employers and employees much better use can be made of education programmes. No expert group has looked at the better use of existing schemes and the Brotherhood has offered to do that and is in the process of doing it now.

Other members of the committee are: The Honorable Peter Block, M.L.C.; Mr. Fallshaw of the State Youth Council; Mr. L. Gowan, Assistant Co-ordinator of Works, Treasury Department; Mr. K. Harvey from the Victorian Trades Hall; Ms. D. Kearsey, Secretary to the Project Officers Association of Victoria; Mr. V. Martin of the Economics Section of the Premier's Department; Mr. P. McCormack, President of the Industrial Training Commission; Mr. A. Meyer, Assistant Director, Special Services Branch of the Department of Employment and Industrial Relations; Mr. P. Moss, Chairman of the Youth Council of Victoria; Mr. W. Roebuck from the Education Department; Mr. I. Spicer, Secretary of the Victorian Employers Federation; Mr. K. Williams, Director of Family and Adolescent Services, Department of Social Welfare; Mr. E. Wilson of the Fitzroy Community Health Centre; and Mrs. J. E. Kirner, Executive Officer of the Victorian Federation of State Schools Parents Clubs.

Honorable members will acknowledge that I am fortunate to have gathered around me in that group people widely representative of employers and employees, community and youth groups who will be able to make a detailed analysis of what is occurring in Victoria and suggest solutions. I am confident that we will come up with much better package solutions than ever before.

Mr. CAIN: Not just change the battling order!

Mr. DIXON: I do not know what that means. I believe the committee can make a significant contribution to the reduction of unemployment and I think what I announced today is happening in the Social Welfare Department is one of the alternatives

that have not in any way been explored because people have not acknowledged the significance of this total problem. If schemes such as that can be provided, as people start to grapple with the problem and analyse it in small communities along those lines, the effect will be a reduction in unemployment. Even if unemployment remains as it is, and one cannot really tell what will happen in that direction, some actions still have to be taken regarding the unemployed, and I think the honorable member for Bundoora will agree with that.

The support staff for the Youth Employment Committee are from the Social Welfare Department, the Department of Youth, Sport and Recreation, the Youth Council of Victoria, the Department of Labour and Industry and the Education Department.

What sort of things will the committee do? What sort of things does it believe it can do to improve the existing state of affairs? I was interested to read a letter from the Reverend David Walker of Church Road, Doncaster, commenting on Mr. Roger Shipton's article in the *Herald* concerning initiatives which could be taken by the Commonwealth Government. This is his suggestion in terms of community action programmes—

If we are to develop worthwhile community action programs they will need to be voluntary, decentralized, locally based and cross-generational projects available to all (not just the unemployed) with an appropriate staff and funding base.

The only point relevant to my discussion is that the programmes should be decentralized and locally based. We have not inquired sufficiently into what we can do in a decentralized way. I have suggested to the Youth Employment Committee that it must undertake this major role. The State Government must first analyse its own Budget to see whether funds can be redirected to create employment. I understand that the Social Welfare Department has found that by

changing the allocation of funds spent on overtime an additional 60 positions can be created.

All Ministries will be looking at their own budgets in conjunction with the Treasury to ascertain whether further alternatives can be adopted to create additional employment opportunities. If this can be done by one State department then it can be done also by Federal and other State Government departments, local government, private employers and organizations such as State schools.

The State of Victoria provides \$38 million by way of direct grants to State schools. I wonder whether anyone analyses how that money is spent or ascertains what proportion is spent in areas which can offer reasonable employment opportunities. School councils and school committees have the prerogative to employ people in a whole range of service areas. I bring to mind such areas as student welfare, work experience programmes, community education programmes, after-school programmes and week-end and school holiday programmes in which a number of people could be employed in various occupations to make a productive contribution to the community's well-being.

It is intended that an analysis be made of State and local government budgets. The Government will seek the co-operation of municipalities. Eighteen regional committees, which bring together groups of people, have been asked to inquire what they can do within their own regions. They will ascertain the types of schemes that are worth developing at regional and local level.

I wonder how much work schools have done. Recently the Government provided career guidance teachers. I wonder about the extent to which there is a follow-up of every boy and girl who leaves the school to ascertain the employment opportunities in the community for these young people, and how many are employed. Schools within a municipality should consider

each student and ascertain the jobs that might be available in their neighbourhood.

One reason that these inquiries have not been satisfactorily made before is the inadequacy of statistics of the Commonwealth Employment Service, which has some 60 offices in Victoria. The districts that they cover do not coincide with municipal boundaries or regional boundaries adopted by State administrations. We must improve dramatically our data base so that we may ascertain from time to time the local and regional initiatives that we may take. When there is an improvement in this data base and municipalities and schools have available the data from the Commonwealth Employment Service offices, through the Youth Employment Committee the Government will be able to make a much better contribution to overcoming the whole unemployment problem.

I am disappointed that, although the Leader of the Opposition said that the Budget did not have any worth-while initiatives, he did not put forward any useful proposals. From my listening to the comments on both Federal and State Governments and Parliamentarians, the only conclusion I can draw is that, basically, people know that the Federal Government and the Victorian Government are heading in the right direction. Both the Premier and I have been at pains to say that there has not been sufficient recognition by the community of the large numbers and the plight of the unemployed.

I am pleased to observe that the Prime Minister appears to have acknowledged this recently to a much greater extent than he has in the past. The Prime Minister said that he will establish working committees representative of employers, employees and the community generally round Australia. I inform the Prime Minister that Victoria already has eighteen such committees. Further, the Youth Council of Victoria has been arranging for consultations to

take place throughout Victoria to ascertain the people's views. Constructive views have been put forward, such as a shorter working week and fewer working hours, early retirement, abolition of overtime, and an analysis of the number of women who have joined the work force. The Government wants to ascertain what may be done in the future to provide for much broader planning for the work force and to ascertain the types of industries that are likely to be economically efficient in the foreseeable future. In the past this work has not been done in great depth and detail. There is a challenge for all of us, particularly the Federal Government, to provide statistics and to work with the Youth Employment Committee so that local and regional initiatives can be tied in with an over-all manpower and employment plan.

**Mr. CAIN** (Bundoora): I direct some comments to the items relating to planning referred to on page 103 of the Estimates, and particularly to regional planning authorities and the Western Port Regional Planning Authority conservation plan. I understand that today the conservation plan is to be formally gazetted, making this its day of birth after a record period of gestation. A close analysis of that authority's background and some of its work, and particularly of the conservation plan, will be instructive to honorable members and to the Parliament. There appears to be a war raging between certain honorable members. It is instructive also so far as regional planning is concerned.

I shall deal briefly with the history of the authority, which was created on 25th February, 1969, by an Order in Council. The area under the control of the authority comprises some 1,680 square kilometres and contains the shires of Flinders, Hastings, Mornington, Phillip Island and part of the Shire of Cranbourne. Part of Bass Shire is also included and, French Island, an area that is not in a shire. My inquiries reveal that in 1969 the boundaries of the

authority's area of responsibility were chosen by the Premier when he was Minister for Local Government. I am informed that some boundaries were chosen by his driving round in a car and selecting what appeared to be desirable main road boundaries.

One can always create a dispute over what criteria ought to be followed in determining boundaries of a regional planning authority's area. The Opposition's view is that those boundaries ought to be determined by a whole range of criteria. Principally, they ought to be determined on functional considerations and not purely administrative considerations. Whatever the criteria may be, it is fairly clear that at least in determining portion of the boundary of this authority's area of responsibility those criteria have been ignored and replaced by a seat-of-the-pants assessment. I am informed that at least so far as one part of the area is concerned, the area east of Frankston, there was a deliberate exclusion of that area from the authority's area of responsibility because it was regarded as politically sensitive.

The inaugural meeting took place on 12th June, 1969, four months after the Western Port Regional Planning Authority was created. The then Minister for Local Government, the present Premier, was at that meeting and delivered what was described in the minutes as the inaugural address. It is useful to note a couple of portions of that address. The honorable gentleman opened by saying—

This is a historic day for planning in Victoria. It is also a historic day for this most vital region. We are all conscious, as the members of this Authority assemble for the first time, that challenges of the first magnitude lie ahead; that development in this area, which has already begun, is likely to occur on such a scale, and at such speed, as to call for all our skills and energy to plan and control it properly.

Further on in his address he said—

We know that many problems will be encountered. I for one am confident that they can, and will, be overcome. There will be many pressures for this or that permit, or this or that concession. There must be firmness—a willingness to listen, and a will to make decisions, and stick to them.

*Mr. Cain.*

The Minister later said—

It is now the task of this Authority to draw together, to co-ordinate and expand the plans already made, and to formulate a Regional Plan which will reconcile the diverse needs of new industry, new residential areas with the old, more shopping areas, schools, transportation, churches, recreational areas and parkland; which will conserve the natural beauties of this area and its wildlife habitat; and effectively prevent pollution of the water and the air.

As I see it, it will be necessary for this Authority to act with all reasonable speed. The last thing we want is for land use to be so committed that it is difficult or impossible to meet the requirements of the Region as a whole. The Authority will obviously need to equip itself, as soon as it reasonably can, with at least an outline regional scheme, to which future applications by developers can be related. It will need a competent Regional Planner and a small staff, and it will need expert consultant advice in many fields.

I would imagine that when a Regional Planning Scheme is eventually approved each Council will administer, under it, all aspects of local interest and importance, as is now being done in the metropolitan area.

It might be said that those were brave words by the then Minister for Local Government because that was in 1969 and honorable members all know what future events meant. Here we are in September, 1978, and the conservation plan—a critical aspect of the hopes and aspirations of the then Minister—is some nine years three months later just born today.

The next step in the history of the authority was two statements of planning policy. The first was known as Statement Planning Policy No. 1 and was primarily concerned with the potential industrial area. Statement No. 2 was concerned with the conservation of the peninsula area. Both were dated October, 1970. It should be said that the background to those two statements was one of rapid industrial growth on the peninsula. The then Premier, Sir Henry Bolte, described that area as being Victoria's Ruhr. It was shortly after the time when the Broken Hill Pty. Co. Ltd. had purchased a large portion of land along the west coast of the bay and the State Electricity Commission had purchased land at Stockyard Point and French Island.

From about 1970 and early 1971, the battle lines were drawn between the warring factions in Westernport. On the one hand there were the local residents who owned land and desired to see rapid industrial development with a consequent increase in land values, and on the other hand the week-enders, those persons from Melbourne and other parts who saw the peninsula as their holiday playground and saw their playground being threatened. What happened then and what is still happening is now history and folklore. There are two groups on the peninsula with interests of different kinds, both influential members of the Liberal Party, and the consequence of the differences which have occurred between them has been so obvious for all to see, particularly in recent times. From that time on these two warring factions have been pushing and pulling the Government with telling effects, to the detriment of the area. That has been going on for almost eight years. The shift of power balance has changed between those two groups from time to time. Various persons have succeeded in gaining ascendancy, either on the board of that authority or on local government councils, but the Government has been pushed and pulled all the time by those groups and has not displayed the strength required in such contentious areas.

Soon after the statements of planning policy, studies were made preparatory to the preparation of plans. The final product was approved last Friday and to date little is known about it. I will say something about that later.

The history of the plan is worth examining. It is instructive of the pressures put upon the Government, upon Ministers of the Government and upon the Town and Country Planning Board at various times. Between 1970 and 1974 it appears that the ideas which were to contribute to the conservation plan were formulated. There were numerous studies and investigations and by 1974 there had emerged the nucleus of what was regarded as a desirable

plan. That is four years ago. At that stage there had been considerable involvement by the Town and Country Planning Board in the proposals of the regional planning authority for the conservation plan.

The plan was first exhibited in May, 1975, and remained on exhibition for some time. The next important step was in February, 1976, some six or seven weeks before the March, 1976, election. There were amendments to the statement of planning policy after a further scientific study of the bay and its waters. I do not wish to be uncharitable and say that it had anything to do with the coming election but the fact is that it was promulgated and the plan was further considered. At any event, by December, 1976—ten months later—the plan had been amended. Certain input had come from the statement of planning policy and there was a second exhibition of the plan. Proposals and submissions were again made and some were incorporated in the plan. There was still no firm decision up to 1976. Late in 1976 the plan was put on exhibition for the second time. In early 1977 the Minister for Planning decided to appoint a committee to peruse the plan and Mr. Gibson's committee was appointed. It was an outside body which examined the plan and delivered a report to the Minister in July, 1977.

The members of the committee were Mr. C. J. Gibson, the chairman, J. H. Earle, K. A. Read, A. G. Robertson and Cr. R. J. Rowley, J.P. The committee of inquiry was not a voluntary job, it cost \$27,000. It was an additional check that the Minister felt ought to occur with the plan. I refer to page 1 of the report of the committee, which reads:

The committee after examining the objections of 178 persons who expressed a wish to be heard concluded that in broad outline and many of its provisions, the Conservation Plan is a suitable and adequate response to the directions of Statement of Planning Policy No. 2.

That was the summary of findings of the committee of inquiry. The attention of the committee had been

directed to some criticisms. I refer to the findings and recommendations of the committee on page 25 under the sub-heading information services, where it is stated—

The Committee recommends that action be taken by the Authority to provide additional information to landowners in the Plan area. The Committee's attention was drawn to the complexity of the Plan but it acknowledges that this is necessary to provide adequate flexibility to meet the many and varied circumstances which can arise.

The committee's attention had been drawn specifically to what was put as a criticism, that was, the complexity of the plan. The independent committee's view was that such complexity as there was was justified and on that score the plan received a clean bill of health.

The committee came to a view on the two critical aspects of complexity and response to planning. In August, 1977, following the report, the authority adopted a number of further amendments and sent the plan to the Government through the Town and Country Planning Board. It asked the Minister, if there were to be any additional amendments, that he should make those amendments under the Act, which he was empowered to do. For the next eleven months there was utter and total silence. Nothing at all happened.

In July, 1978, the Minister advised the regional authority that the plan was unacceptable and that it had been rejected by the Government. In my mind that raises two questions: Why had there been the delay of eleven months, having regard to the history of the plan? Was it simply because of the faction fight that had been continuing in the area during the whole time? Was it because of concern by a particular person—the honorable member for Westernport springs to mind again. If it was not, why had there been the delay of months? If the reasons stated in the letter from the Minister were of small moment, why had not there been some communication with the authority before then? It seems to

Mr. Cain.

me it is quite reasonable to suggest that there ought to have been some communication during that period of eleven months to try to correct these matters because at that stage the plan had been on the drawing board for almost seven years.

What happened then was that the authority held a meeting on 20th July and expressed what can be described only as its outrage at the way it was being treated. The business paper of the 112th meeting of the authority sets out what is regarded as being the relevant material so far as the way the plan had been handled by the Minister and the Town and Country Planning Board. I ask leave to table the document and to have it incorporated in *Hansard*.

**The SPEAKER (Sir Kenneth Wheeler):** It is feasible, but the honorable member for Bundoora should get these things cleared beforehand.

Mr. CAIN: It is a document of the authority and carries its imprimatur.

Leave was granted, and the document was as follows—

Western Port Regional Planning Authority  
Business Papers.

112th Meeting,  
20th July, 1978  
Agenda Item A.7.

#### A.7. Conservation Plan—Southern Mornington Peninsula

1. As members are aware (copy of letter and press statement previously circulated), the Minister for Planning has advised the Authority that the Conservation Plan (Amendment No. 1A to the Western Port Region Interim Development Order) is unacceptable. The Minister has reached this conclusion after receiving interim advice from the Town and Country Planning Board.

2. The Minister's letter states that the Board's recommendations are to "refer the plan back to the Authority for redrafting such that the ordinance and maps are less complex and more understandable", and "to foreshadow to the Authority modifications which should be made in order to assure that the plan and its administration reflect current Government policy". The plan was prepared under the directives of Statement of Planning Policy No. 2, which was itself revised and made more detailed and specific during the period over which the plan was being reconsidered following the first exhibition. From the present action it appears that the policy has

changed, or the Authority's interpretation of it is incorrect. If so, the authority should be properly informed.

3. At the request of the Ministry for Planning, the Director met with the Secretary for Planning on Wednesday 12th July to discuss the matter. The Secretary for Planning could not indicate to the Director in what way the plan as submitted did not implement current Government policies regarding the Conservation Plan. Neither was he aware of the areas in which the plan was considered to be too complex and in need of simplification.

4. Usually, in instances where the Town and Country Planning Board finds areas of a scheme in need of modification it is normal procedure for the Board to write to the responsible authority advising them of the issues of concern and then, in most cases, for representatives of the Board to discuss such issues with the responsible authority. In this instance this course of action has not been followed.

5. Over a great many years the Authority has devoted much time to the preparation of the Conservation Plan, and to deliberating on its provisions. During that time members gave detailed consideration to a wide range of difficult issues. Many further hours were spent hearing objections and modifying the scheme accordingly. It was subject to two exhibitions, and following the second, the proposals and objections were examined by an Independent Committee.

6. The Independent Committee which examined the modified plan concluded that "in broad outline and many of its provisions, the Conservation Plan is a suitable and adequate response to the directions of Statement of Planning Policy No. 2". On the question of complexity the Committee said, "The Committee's attention was drawn to the complexity of the Plan, but it acknowledges that this is necessary to provide adequate flexibility to meet the many and varied circumstances which can arise". Also, "there are no fundamental difficulties arising from the complexity of the Plan".

7. During the course of preparation of the plan the Town and Country Planning Board had ample opportunity to comment if it considered the plan too complex. In 1974, before the first exhibition the proposed form of the plan was checked for acceptability with officers of the Board. Now at this late date, after the Board has had the plan for formal review for eleven months, it is very poor administrative practice for the Board to advise that the scheme's form is unacceptable.

8. While there were differing views among members, the final judgement and decision of the Authority was that the Plan as forwarded to the Minister with suggested modifications was a reasonable and acceptable fulfillment of the responsibility placed upon it. Prior to the Authority considering further action, the Government should outline

to the Authority what is wrong with the Plan, and under what guidelines a revision should be made.

9. The proposal of the Minister to establish a task group of Board Officers under a Consultant, without apparently any guidelines as to how to carry out its task, or instruction as to in what areas changes are required to conform to current government policy, is hard to comprehend. It is also difficult to see why the Authority should be involved. If, as it appears, the Committee's function is to decide how to modify the Plan to make it acceptable to the Government or the Board, then that is a function of the Government.

10. The Minister's letter requests that an officer be assigned to this committee for an unspecified time, with an unspecified role, to operate under unspecified guidelines. Such a position would be untenable. It is considered that the Authority should not accede to this request.

11. The Authority should adopt a position of co-operation with the *ad hoc* committee, provide comments, answer questions, and provide advice on the effects of proposed changes etc. This will ensure that the intent and operation of the provisions are understood. It will also ensure the Authority retains its independence. The issue facing the committee is what form of scheme is acceptable to the Government. Participation of Authority staff could lead to the *ad hoc* committee following unproductive lines as a result of input from staff who consider the present form of the scheme to be appropriate. The matter is clearly one for public servants. The Authority should preserve independence yet facilitate the work of the *ad hoc* committee. This can be done without participation.

12. In an endeavour to find out formally, the areas of the Plan which are of concern to the Board and the Government, and the guidelines under which the scheme is to be reviewed, a letter has been sent to the Minister. It is hoped that an answer will be available for members consideration at the meeting.

## CONSIDERATION

It is recommended that—The Minister for Planning be advised that with respect to the committee of officers being established to re-examine the Conservation Plan, the Authority will co-operate in every way in the work of the committee by allocating staff resources to provide answers to questions, advice on the basis of the scheme and its provisions, and on the effects of possible modifications, as the committee may require. The Authority will not, however, nominate a member of staff to join the committee.

Mr. CAIN: The next step in the saga was to appoint what was referred to as a task force to examine

the plan further. The Government then took what I describe as the unusual step of appointing persons none of whom had been associated with the seven years of preparation of the plan. The Government asked that the authority make some contribution by way of expert assistance. The authority was most reluctant to do that but, in the event, a member of the authority was seconded to assist the new committee. We are told—and now I have to rely on what appeared in the Melbourne press last Friday, in the Melbourne Age, that the plan was approved by the Government last Friday, 22nd September. The press report suggested that there are some 60 alterations to the plan which are not yet available for general consumption.

Perhaps I may comment on some of the features of the plan, as amended and now adopted. It seems that what has occurred since the plan was finally submitted by the authority to the Government is that some of the exclusions in which owners depend upon old ownership, or existing use, have been widened. There is also a power to give to the authority a wide discretion to grant a permit where it might otherwise be prohibited, if a number of conditions are satisfied. If it is the unanimous resolution of the authority, the authority can be satisfied that it will not prejudice the aims and objects of the plan, it would cause hardship to refuse and the local council agrees. On the face of it that would be a difficult threshold to cross but there is some apprehension and concern about the possible consequences of that provision. I shall make no further comment about it until the full context is available for examination.

In conclusion, I believe the whole saga of the plan gives honorable members a clear and perhaps monumental lesson of the sorts of pressures that can be brought on a government in this area. It has been put that what it is all about in the Westernport area is the right to subdivide land as the owner sees fit

Mr. Cain.

without regard for any other consideration. The honorable member for Geelong West indicates support for that. I am surprised. It seems a somewhat simplistic approach. If that is what the issue is, it is a matter for regret that it should be seen in that way by persons in the area. There are so many features about which honorable members should be concerned. From what I have learned, and from my examination of the earlier plan, I doubt if the finished product will be any less complex or shorter in size and number of pages which comprise it than the previous proposal put by the authority to the Government. I am willing to predict that it will probably end up longer. The second comment which should be made is that the finished product represents a considerable shift from the lofty ideals enunciated in 1969 by the then Minister for Local Government who is now the Premier. In that eight-year period, the shift has been enormous and I think one for regret.

In summary, I believe from what I have learned of the plan and from talking to people in the area that the State, particularly the Westernport area, has been denied the protection that the plan will afford to it for a long time simply because of equivocation, vacillation and the pressures, the stark, cold, hard, political pressures, brought on the Government by various factions within its own party. The Government could not make up its mind. Unfortunately that in-fighting has meant that the Government has not taken the decisive stand that it ought to have taken years ago. From what I can find out, back-stabbing and innuendo have become an art form.

**The SPEAKER (Sir Kenneth Wheeler):** Under what heading of the Budget does this come?

Mr. CAIN: Regional planning. It is a matter for regret, I say quite seriously that the matter as important as the future conservation of Westernport, complex as the area is, should not have been treated and handled in that way, bearing in mind the background

of the matter. It led to the pressure that has been seen in the House over the past month. For that reason I felt it was useful to trace the history and show the backdrop of it to the Parliament.

Finally, I believe the State has suffered because of the Government's failure to take decisive action over this long period of time. As I said before, I defer final judgment on the plan because it is not yet available. I presume it will be available some time later this week. From the delay it is apparent to this community and to this State that planning is not safe in the hands of the Government which allows itself to be dominated in the way that it has been dominated in the Westernport area over the past nine years.

On the motion of Mr. BIRRELL (Geelong West), the debate was adjourned.

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

### VICTORIA LAW FOUNDATION BILL.

Mr. SCANLAN (Minister of Special Education): I move—

That this Bill be now read a second time. Its purpose is to re-enact with amendments the provisions of Part IIA. of the Legal Profession Practice Act 1958, which relate to the Victoria Law Foundation. At the time Part IIA. was inserted in the Act, it was convenient to place the relevant provisions in the Legal Profession Practice Act—particularly since the amending legislation, as well as establishing the foundation, made provision for part of the surplus moneys in the Solicitors Guarantee Fund to be credited to the foundation. However, as some amendments of the provisions are desirable, it is now convenient to enact a separate statute for the foundation.

Honorable members will be aware from the notes circulated with the Bill that the changes proposed to be made are largely of an administrative or

machinery nature, and these are indicated in the notes. Before commenting on the Bill, it is appropriate that I refer to the objects and history of the foundation.

Briefly, the objects of the foundation are—

1. To promote legal research.
2. To promote legal education.
3. To establish maintain or improve law libraries.
4. To investigate proposals for improvement of the administration of law.

The members of the foundation are the Chief Justice, as President, the Attorney-General, the President of the Law Institute, and six other legal practitioners—two nominated by each of the Chief Justice, Attorney-General and Law Institute.

The first meeting of the foundation was held on 31st October, 1969. In its relatively short existence, the foundation has played an important part in the fields to which its objects relate. It has, in accordance with the Law Reform Act 1973, funded the operations of the Law Reform Commissioner. In addition it has made grants to assist in the teaching of the law at Melbourne and La Trobe universities, and to assist with the practical training course conducted by the Leo Cussen Institute of Continuing Legal Education. It has also made grants for law libraries at Melbourne and Monash universities, suburban Magistrates Courts and the Royal Melbourne Institute of Technology.

The foundation has sponsored a variety of legal research and assisted with numerous legal publications. In particular, it financed the research required for a review of the Imperial Acts Application Act at a cost in the order of \$20,000. At the request of the Law Department, it provided about \$33,000 for a study of the problems of delays in criminal trials in the County Court.

As I have indicated, the present

members of the foundation are all lawyers. One of the more significant changes proposed in the Bill is contained in clause 4. This clause provides for increasing the number of appointed members—that is, the members other than those who are the holders of specified offices—from six to at least nine, of whom only six are required to be lawyers. It will, therefore, be possible to include lay persons in the membership of the foundation.

Clause 11 extends the objects of the foundation, to which I have already referred. The existing provisions authorize the foundation to promote legal research, but not to undertake it—the clause remedies this defect. It widens the objects in other ways. The foundation will be able to promote or undertake community education in law and the legal system, including programmes in schools. It will also be able to provide information on the law and related matters to lawyers and other persons, and to publish material relating to the objects of the foundation or resulting from carrying them out.

Clause 15 fills a gap in the existing provisions. While in fact the foundation complies with the provisions proposed by this clause, it is important that there be statutory requirements for the keeping of proper accounts and records, and for annual audit of accounts.

Although much of the Bill is not new, the changes proposed in it are desirable improvements and should better equip the foundation to meet the needs of the community. I commend the Bill to the House.

On the motion of Mr. CAIN (Bundoora), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, October 10.

### ADJOURNMENT.

TRAM TRACKS IN ESSENDON—ST. VINCENT'S HOSPITAL CLINIC FOR DRINKING DRIVERS—ELECTRICITY POWER BREAKDOWNS—APPRENTICES IN GEELONG—RE-ENGAGE-

MENT OF RETIRED HOUSING COMMISSION EMPLOYEES—NON-PAYMENT OF AWARD RATES—HAIL-STORM DAMAGE IN RED CLIFFS AREA—MAROONDAH HOSPITAL—ELDERLY PERSONS' HOUSING DEVELOPMENT—STORAGE OF POISONOUS CHEMICALS—YARRA FALLS PROPERTIES.

**Mr. THOMPSON** (Minister of Education): I move—

That the House, at its rising, adjourn until Tuesday, October 10, at half-past three o'clock.

The motion was agreed to.

**Mr. THOMPSON** (Minister of Education): I move—

That the House do now adjourn.

**Mr. EDMUNDS** (Ascot Vale): I wish to take up with the Minister of Transport a saga that has been unfolding in the City of Essendon regarding a main road through the city, Maribyrnong Road, between Union Road and Ascot Vale Road. Tram tracks run along the centre of the road, and the City of Essendon has had numerous complaints about the condition of the road. The council is prepared to do its part of repaving, but cannot do so until the Tramways Board sets the tracks in concrete.

As this matter has been going on for over five years, I would like the Minister to arrive at a decision so that the City of Essendon can get on with the job of bringing the road surface back to first-class condition. The council approached the Tramways Board in 1973, and in 1974 the Tramways Board advised that the concreting of the tracks was planned for late 1976. In November, 1976, the Tramways Board claimed that it was prepared to reconstruct the tramway prior to road works by the council. In June, 1978, still nothing had been done when the council approached the Tramways Board about this programme of concreting the tracks. I ask the Minister to have the matter looked at and to expedite a decision.

**Mr. BILLING** (Springvale): I draw a matter to the attention of the Assistant Minister of Health. The honorable gentleman will be aware

of the subject, as it concerns a programme for the rehabilitation of drivers who are referred to a clinic at St. Vincent's Hospital conducted by Dr. J. Santamaria. This clinic has been operating since 1973, and since that time more than 1,000 drinking drivers between the ages of 18 and 25 years have been referred to it by the courts for treatment. It is noted that of those referred for treatment only 100 were females. The funding of this programme came initially from the National Health and Medical Research Council to the extent of 90 per cent. This was followed up by a grant of a similar amount from the Federal Hospitals and Health Services Commission, but this year in the Federal Budget that grant has been reduced to 75 per cent. According to Dr. Santamaria, this has left a shortfall of \$3,000, and it will interfere with the over-all conduct of the programme. In his statement Dr. Santamaria said that only one in every three drinking drivers who were not treated at St. Vincent's Hospital would be convicted.

Evidence given to the Road Safety Committee indicates that this programme has been of considerable benefit in the education of drivers of this type and has assisted in reducing the road toll.

I ask the Minister to investigate the matter to see whether some assistance by way of a health service grant could be given to Dr. Santamaria and his most able assistant, Miss Ann Raymond, in this project.

**Mr. JASPER** (Murray Valley) : I raise with the Minister for Minerals and Energy a matter concerning communications between people in country areas and the State Electricity Commission. The Minister and honorable members will be aware that the commission has been centralizing its activities in larger centres. This means that people in smaller country towns receive inferior service to that which they obtained when the decentralized offices of the State Electricity Commission were operating. When a breakdown in

State Electricity Commission power supply occurs, it often takes a long time before people can contact the commission, which contacts a repairman, and he must get to the place where the fault is and rectify it.

Recently a fire broke out in the main street of my home town of Rutherglen, and it took almost an hour to get the State Electricity Commission there to disconnect the power. This made the work of the fire fighters much more difficult because they could not get near the fire and had to keep the water away from the power source. Constant sparking occurred and there were other effects in places where the power lines went into the building. Consequently the fire raged for nearly an hour before the State Electricity Commission disconnected the power. The power box was situated a quarter of a mile away from the scene of the fire.

Surely a better way could be devised for disconnecting the power supply, particularly in case of fire and in built-up areas. I ask the Minister to investigate the total problem of the service that the State Electricity Commission gives to country people, especially during breakdowns of power supply and in cases of fire when the power must be cut off quickly.

**Mr. GUDE** (Geelong East): I draw a matter to the attention of the Minister of Labour and Industry and refer to a pre-apprenticeship course that commenced in Geelong in July, 1976, for painters and decorators and bricklayers.

Difficulty is currently being experienced because of regulations that came into force in 1977. I ask the Minister to convene a meeting between his department and the local painters and decorators group in Geelong to try to overcome the problems being experienced, in this instance, by the employers. The difficulties could have an effect on the jobs of apprentices, so I should appreciate it if the Minister would look into the matter personally.

**Mr. CAIN** (Bundoora): I raise with the Minister of Housing the re-engagement as consultants of former Housing Commission employees who have retired and been superannuated.

It has been put to me that a number of former employees are so engaged in both the architectural branch of the commission and in the area of quantity surveying. I made inquiries about the names given to me from the Public Service Board, and as far as I can ascertain from the information I received, no exemption had been granted by the board to these superannuated employees. I was told that the exemption is often given in respect of a position rather than a person, so I make no further assertions about that.

This seems to raise two questions. The first is the desirability of retired and superannuated employees coming back and occupying jobs in the commission, either on a full-time or a part-time basis, unless they have particular capacities or expertise that cannot be obtained anywhere else.

The second and most important question is: Who else are these people keeping out of jobs? Implicit in any re-engagement of that kind on a consultancy basis is the fact that these people will be keeping a young person out of work. Without taking the matter too far, it may be said that if this is happening, it is inconsistent with the policy of the Government and the Opposition of employing as many people as possible, particularly young people.

I ask the Minister to investigate this matter, and if this is occurring, to inform the House of the terms and conditions under which the people concerned are being employed.

**Mr. SIMMONDS** (Reservoir): I raise with the Minister of Labour and Industry the matter of underpayment and non-payment of award wages. Most unions acknowledge that there is a long delay and little hope of rectification in such cases. The Printing and Kindred Industries Union had an experience which may illustrate the

point to the Minister, and I hope he will take steps to alleviate the position.

The union wrote to the Department of Labour and Industry on 21st February, 1977, about a certain matter. It received an acknowledgement of the letter on 17th March, 1977, and twelve months later, on 11th May, 1978, received the only letter that referred to an investigation.

The matter relates to a company known as End Finishers Pty. Ltd. of 31-37 Cambria Road, Noble Park, which the union said was operating a business in breach of clauses 2 (t), 5, 7 (c) and 28 of the Graphic Arts Board determination. The proprietor of the organization is Mr. A. R. Muir.

The union's experience was that over twelve months it received no response from the department in respect of a matter which the union regarded as a case of gross underpayment or non-payment of wages in accordance with award provisions to people who were performing work for the organization in their homes.

The Department of Labour and Industry replied to the Assistant Secretary, Printing and Kindred Industries Union, in a letter dated 11th May, 1978, which stated—

Re: R. Muir T/A "End Finishers".

I refer to your letter of 21st February 1977 and advise that an investigation of the matter failed to adduce evidence of a breach of any enforceable provision of the Graphic Arts determination.

The union was most concerned that the reply did not acknowledge the seriousness of the case, which called for a substantial investigation of the claim.

**Mr. WHITING** (Mildura): I draw a matter to the attention of the Premier and Treasurer. Following the hailstorm in the Red Cliffs district almost twelve months ago, a number of deputations have been led to the honorable gentleman in an attempt to obtain a remission of water rates this financial year for people in that area.

The latest deputation three of four weeks ago consisted of representatives of the Anglican, Roman Cath-

olic and Uniting churches, which have an interest in the area, and the Premier indicated that he would again review the situation. To date no information has been received on whether a further remission of water rates will be granted to those people.

I earnestly request the Premier to make an announcement on the matter in the near future.

**Mr. ROPER** (Brunswick): I raise with the Assistant Minister of Health a matter concerning the number of beds at Maroondah Hospital which would be available if staff were provided, but are not available to patients because for one reason or another the Government will not provide the staff requested by the hospital.

During the recess I visited the hospital and was shown over it by senior members of the committee of management and senior staff. I was surprised to discover that the top floor of the hospital building has been fully equipped for the taking of patients. On numerous occasions the hospital board has requested the Hospital and Charities Commission to provide staff so that these funds can be used, but to date there has been no agreement by the commission or the Government to provide the staff so that this ward of a little more than 30 beds can be used. It is particularly important, because there are insufficient public hospital beds in the outer-eastern area of Melbourne. Both the Box Hill Hospital and the Maroondah Hospital have extreme pressure placed on them by the number of patients who are generated in the area.

I direct to the attention of the Assistant Minister of Health the fact that the capital cost of the hospital has been investigated, the ward and beds and other equipment are available and have been for some time, but at present the ward is unable to take patients despite the burden on the hospital by the number of patients wishing to be admitted, because the money has not been made available for the employment of staff.

**Mr. COLLINS** (Noble Park): The Minister of Housing will be aware of the joint development between the Housing Commission and the Keysborough Parish of the Resurrection in Noble Park of 27 elderly-person units. This is a worthwhile and unique development in Victoria. Will the Minister consider meeting a deputation from the Parish of the Resurrection to discuss the possibilities of making available funds for the employment of a caretaker who could act under the Social Welfare Department in a liaison capacity with the elderly persons who will live there. I realize it is not the normal practice of the Housing Commission to fund an elderly-persons' development. It may not even have the funds available, but I ask the Minister to examine the matter, because, as I said before, this is a unique development.

These units are situated so that they relate directly to the pre-school centre and the primary school at the Keysborough Parish of the Resurrection. The elderly persons who live there will play an integral role in the day-to-day life of the parish. It is important that someone should act in liaison between them and that some of these people should not be too far away from health care, possibly of an intensive nature, if required. I ask the Minister to perhaps refer the matter to his colleague, the Minister of Health.

**Mrs. TONER** (Greensborough): I ask the Assistant Minister of Health to direct the attention of the Minister of Health to a problem that concerns me very much. Recently I placed on notice a question relating to the regulations applying to the safe storage of poisonous chemicals. The Assistant Minister of Health replied that there were regulations under the Poisons Act 1962, the Health Act 1958 and Inflammable Liquids Act 1966, and in particular, the Poisons Regulations 1963 (No. 2 and No. 3), but that in fact none of these regulations applied to the State Government or any of its agencies. The Minister also replied

that the premises of which he had knowledge and which are occupied by the Department of Crown Lands and Survey are not legally bound to conform to the regulations. However, I wonder whether this applies to the revolting old building in Eltham, which was condemned about 40 years ago, in which the Department of Crown Lands and Survey operates. I have seen the way in which poisons are dealt with and stored there. The situation is such anyone could break in easily. It concerns me that the same rules which apply to industry and to individuals do not apply to Government organizations. I understand that recently the Fisheries and Wildlife Division was also informed that it did not have to comply in any way with the Poisons Act. I understand this is a relatively new instruction and applies to a recent interpretation of the Act. If that is the case, the Government should consider amending the Act. I will be interested to hear the Minister's comments.

**Mr. SIDIROPOULOS** (Richmond): I bring to the attention of the Minister of Housing the concern of the City of Collingwood about the report that this Government is not prepared to proceed with the purchase of the Yarra Falls properties for the purpose of developing housing for low and moderate-income households. The City of Collingwood entered into negotiations in 1975 with various Government departments and instrumentalities to redevelop the Yarra Falls site and a couple of smaller factories alongside the river, to be used for residential purposes in preference to the site continuing to be used for industrial purposes.

Since then, as I said, there have been many negotiations. In December, 1977, the Director of Housing advised the City of Collingwood of the Government's approval in principle, subject to some provisos which the council accepted in principle. I ask the Minister to reconsider the decision and also to have a report prepared on alternative means of financing the purchase in the light of the

owners' preparedness to enter into a vendor-terms sale. That means that they do not need the money straight away. I believe this whole area can be a very pleasant place for people to live in and the opportunity to develop it in that way exists now. If the sale does not proceed, it will take another 100 years until the opportunity comes again.

**Mr. SCANLAN** (Minister of Special Education): In the absence of the Minister of Transport, I assure the honorable member for Ascot Vale that the matters raised by him, particularly the concreting of tram tracks in the City of Essendon, will be examined and that he will be further advised by the Minister in due course.

**Mr. JONA** (Assistant Minister of Health): The honorable member for Springvale referred to the shortfall of about \$3,000 in the cost of maintaining the alcohol and drinking-driver education programme at St. Vincent's Hospital being directed by Dr. Santamaria and Miss Ann Raymond. I am aware, as a former member of the Road Safety Committee, of the tremendous contribution made by Dr. Santamaria and Miss Ann Raymond in this field. I shall be delighted to discuss the matter with the Minister of Health and possibly also with the Chief Secretary because of the referrals that are made in this area by police on the apprehension of drunken drivers, and to ensure that the work is not handicapped by shortage of funds. I listened carefully to the honorable member for Greensborough. I found the matter she raised extremely complex and detailed. I will, however, examine the report of her remarks in *Hansard* and ensure that she receives advice in due course.

The honorable member for Brunswick asked a question concerning the Maroondah Hospital. I draw his attention to the third paragraph on page 15 of the Budget speech made by the Treasurer, in which the Treasurer made quite clear the Government's course of action on hospital budgets for the coming year. I have

no doubt, even if the honorable member for Brunswick is not clear on this matter, that the board of management of the hospital understands what the Hospital and Charities Commission is doing in its discussions with boards of management on the rationalization of expenditure and growth of hospitals in the light of the Budget. The discussions have been continuing during September and have not yet concluded. I am sure that the Maroondah Hospital is not being overlooked. The honorable member for Ringwood has already had lengthy discussions with the Minister of Health and the honorable member for Monbulk has a very personal knowledge of the growth and development of the Maroondah Hospital. I can assure the honorable member for Brunswick that the hospital's problems will be solved much more quickly without his intervention.

**Mr. BALFOUR** (Minister for Minerals and Energy): I advise the honorable member for Murray Valley that the State Electricity Commission is probably the most decentralized authority in the State. Over the past few years, regrettably, some rationalization has had to be made of the location of personnel. In the main this has been done in an effort to provide a better service to the public and to improve the working conditions of the employees.

I was interested to hear the honorable member's remarks concerning the fire. I understand that special arrangements have been made throughout the State between the Country Fire Authority and the State Electricity Commission. In many areas the Country Fire Authority has a special telephone number to ring in case of emergencies. I hope this sort of liaison will continue. I will make inquiries about the actual incident to which the honorable member alluded and endeavour to advise him of the reasons for the delay.

**Mr. THOMPSON** (Minister of Education): The honorable member for Geelong East drew attention to a possible difficulty in the pre-appren-

ticeship regulations that might affect the Geelong area. I am well aware of the keen interest the honorable member has taken in the development of the apprenticeship programme in the area, and I shall be pleased to take up the matter with my colleague, the Minister of Labour and Industry.

The Deputy Leader of the National Party raised a matter for the consideration of the Treasurer. The honorable member pointed out that members of the Uniting Church waited on the Treasurer some weeks ago and asked for a measure of Christian charity in the form of a water rate concession for those farmers who had been affected by the hail storm last year. The honorable member requested that an early decision be made by the Treasurer. I shall be pleased to pass that matter on to the honorable gentleman.

I shall also be pleased to bring to the attention of my colleague, the Minister of Labour and Industry, the matter raised by the honorable member for Reservoir.

**Mr. HAYES** (Minister of Housing): The honorable member for Bundoora raised the question of formerly employed public servants being re-employed or retained by the Housing Commission. I am aware that some former employees of the Commission who were retained previously at Holmesglen Constructions have been asked to return because of the special skills and expertise they have to offer. I am not aware of any other arrangements concerning the head office, but if the honorable member will provide me with the names of those former public servants who have caused the question to be raised, I will be pleased to look into the matter and advise the honorable member accordingly.

The honorable member for Noble Park raised the question of meeting a deputation on the subject of the provision of a caretaker, subsidized wholly or in part by the Ministry of Housing, for the Noble Park

elderly persons' development. I shall be pleased to meet the deputation. If it is possible for the Ministry to be helpful, it will. That is our job.

I was asked a question by the honorable member for Richmond about the Yarra Falls development in the City of Collingwood. I do not think the honorable member would disagree that the Ministry of Housing has been helpful and constructive in seeking to make something of a proposition that was put forward in 1973-74. I am still considering whether the Housing Commission, within its present funding, can oblige itself to pursue this matter or whether it should take on a contingent liability in the form of a part-payment for end development. I will inform the honorable member of my decision within three weeks.

The motion was agreed to.

*The House adjourned at 5.37 p.m. until Tuesday, October 10.*

#### QUESTIONS ON NOTICE.

*The following answers to questions on notice were circulated—*

#### TRAFFIC LIGHTS FOR GEELONG INTERSECTIONS.

(Question No. 1062)

**Mr. TREZISE** (Geelong North) asked the Chief Secretary—

1. What intersections in the Geelong area are planned for the installation of traffic lights?

2. When it is expected that each such intersection will be serviced with such lights?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

1 and 2. Funds have been allocated for the installation of signals, or other appropriate treatments, at the following intersections in the Geelong area as part of the Road Safety and Traffic Authority's 1978-79 works programme—

Moorabool Street-McKillop Street  
Aberdeen Street-Latrobe Terrace-Ryrie Street  
Ryrie Street-Swanston Street  
Anakie Road-Ballarat Road  
Gheringhap Street-Malop Street-Mercer Street  
McKillop Street-Osmond Road

Tenders have been let for the installation of signals at the intersection of Moorabool Street and McKillop Street. The signals are

expected to be in operation by November, 1978.

Approval has been given for the installation of signals at the intersection of Aberdeen Street-Latrobe Terrace-Ryrie Street. However, roadworks, which are to be completed by the Country Roads Board, are required before such installation can commence. I am, therefore, unable to indicate at present when the installation will be completed.

Approval has also been given for the installation of signals at the intersection of Ryrie Street and Swanston Street. It is expected that the signals will be in operation early in 1979.

With respect to the remaining intersections, the authority is currently conducting an examination into the appropriate form of treatment for traffic control. In each case before treatment commences, agreement must be reached between the authority and the municipality concerned, and also the Country Roads Board in the case of the board's declared roads, as to the design of the signals and the completion of any necessary roadworks. Subject to such agreements it is expected that treatment of the intersections will be completed by the middle of 1979.

(Question No. 1065)

**Mr. TREZISE** (Geelong North) asked the Chief Secretary—

1. When it is expected that traffic lights will be operative at peak hours at the intersection of McKay Street and Melbourne Road, North Geelong?

2. What is the source of financing of such lights?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

1 and 2. The Council of the Shire of Corio has made application to the Road Safety and Traffic Authority for the installation of signals at the intersection of McKay Street and Melbourne Road, North Geelong, under the State Intersection Control Programme. The application has been considered in the preparation of the State-wide ranking of sites for which there are proposals from municipalities to install signals. Details of the recent re-ranking of the sites are outlined in the Road Safety and Traffic Authority's Bulletin No. 6 of 1978 which was issued to all municipalities in August, 1978.

The ranked list has been limited to those locations which are considered by the Authority to represent the higher priority for treatment in the progressive implementation of the STATCON programme. The rankings form the basis for the determination of the locations at which signals are to be installed under the authority's works programme each year and for the continued operation of the deferred payments of costs

scheme. Based on current costs it is expected that 85 sets of intersection signals will be installed throughout the State each year.

Because of the relatively low traffic flows and accident rates associated with the above-mentioned intersection it has been allocated priority number 652 in the ranked list and as such would not, under existing circumstances, be considered for early treatment by the authority.

However, if council so desires it can make an application to the authority for the early installation of signals under the deferred payments of costs scheme.

### PEDESTRIAN LIGHTS FOR COBURG.

(Question No. 1153)

**Mr. MUTTON** (Coburg) asked the Chief Secretary—

Further to the answer to question No. 269 given on 19th April, 1978, whether there have been any changes in priorities of proposed installations of pedestrian operated lights within the electoral district of Coburg?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

The re-ranking of sites, at which municipalities have requested that pedestrian operated signals be installed under the State Intersection Control Programme, has not yet been completed. Accordingly there have been no changes since April, 1978, to the priorities of proposed installations of such signals within the electoral district of Coburg.

Details of the re-ranking of the sites will be issued to all municipalities when the re-ranking has been completed.

### CRIME IN ESSENDON.

(Question No. 1160)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

What are the respective crime statistics in each recorded category for the City of Essendon for 1977 and in this year to date?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

Details are—

| Nature of crime | Number of offences reported (to 16th September, 1978.) |      |
|-----------------|--------------------------------------------------------|------|
|                 | 1977                                                   | 1978 |
| Assaults        | 161                                                    | 141  |
| Burglaries      | 636                                                    | 551  |
| Thefts          | 1171                                                   | 822  |
| Robberies       | 16                                                     | 10   |
| Deception       | 35                                                     | 16   |
| Drug offences   | 51                                                     | 26   |
| Sex offences    | 54                                                     | 31   |
| Homicides       | 2                                                      | —    |
| Miscellaneous   | 137                                                    | 143  |
| Totals          | 2263                                                   | 1740 |

### TRAFFIC OFFENCES.

(Question No. 1161)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

How many persons were charged and convicted of traffic offences in Victoria in 1977 and in this year to date?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

The numbers of traffic offences detected by police in 1977 and in this year, to 31st July, are 160,756 and 114,547, respectively.

Information concerning the number of persons who have been convicted in relation to such offences is not readily available.

### POLICE FORCE.

(Question No. 1170)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

1. What is the net growth rate in the actual strength of the Victoria Police Force in this year to date?

2. What are the losses through retirement, ill-health, resignations and dismissals, respectively, and what has been the net gain?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

1 and 2. Actual strength of the Police Force as at—

|                          |                |
|--------------------------|----------------|
| (a) 31st December, 1977  | 6819           |
| (b) 15th September, 1978 | 7103           |
| Net gain                 | 284            |
| Net growth rate          | 4.16 per cent. |

Losses of personnel during the period 31st December, 1977 to 15th September, 1978 were—

|                  |     |
|------------------|-----|
| (a) Retirements— |     |
| (i) age          | 32  |
| (ii) ill-health  | 63  |
| (b) Resignations | 121 |
| (c) Dismissals   | 4   |
| (d) Deaths       | 6   |
| Total            | 226 |

### POLICE MOUNTED BRANCH.

(Question No. 1179)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

1. Whether arrangements have been finalized for accommodating the Police Mounted Branch as a result of the transfer of the existing premises in St. Kilda Road to the Victorian Council of the Arts

2. Whether a decision has been made as to where the branch will be located?

3. When it is expected that the move from the present location will take place?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

1. and 2. No. However, several sites have been submitted to the Premier for consideration.

3. The relocation of the branch cannot occur until a new site has been selected and a new stable complex constructed on that site. I am, therefore, unable to indicate at present when the relocation will take place.

### **AIR-CONDITIONING FOR POLICE VEHICLES.**

(Question No. 1193)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

In respect of the answer to question No. 2775 given on 25th October, 1977, regarding the air-conditioning of police vehicles, whether he will make available a copy of the report of the sub-committee on this matter; if not, why?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

The report has not yet been completed by the sub-committee of the Victorian Government Motor Transport Committee. On completion it will be submitted to the Premier.

### **ADDITIONAL POLICE VEHICLES.**

(Question No. 1252)

**Mr. EDMUNDS** (Ascot Vale) asked the Chief Secretary—

Whether any of the additional police vehicles announced in the Premier's Budget Speech will be allocated to the Werribee, Laverton or Melton police stations?

**Mr. RAFFERTY** (Chief Secretary): The answer is—

No.

### **SEWERAGE TO PROPERTIES IN GREENSBOROUGH ELECTORATE.**

(Question No. 1275)

**Mrs. TONER** (Greensborough) asked the Minister for Conservation, for the Minister of Water Supply—

1. How many homes, home sites, shops, factories, schools and public buildings respectively, have yet to be connected to the Melbourne and Metropolitan Board of Works sewerage system in the electoral district of Greensborough?

2. What funds have been allocated for work in extending sewerage to the above premises in the 1978-79 financial year?

**Mr. BORTHWICK** (Minister for Conservation): The answer supplied by the Minister of Water Supply is—

The Melbourne and Metropolitan Board of Works does not keep records on an

electoral basis. The board does not have information readily available on the specific types of buildings within unsewered areas.

1. The board's records indicate that—

For the municipality of Eltham there is a sewerage backlog of 5,805 allotments, of which buildings are erected on 4,506.

For the municipality of Diamond Valley there is a sewerage backlog of 4,225 allotments of which buildings are erected on 3,229.

2. The board has allocated a total of \$59.7 million for the financial year 1978-79 for the construction of sewerage works which will progressively enable the sewerage backlog for the whole of Melbourne to be overcome.

A dissection of common works which will serve both municipalities has not been made, but some \$2.5 million will be spent on reticulation works alone.

### **DAIRY UNDERWRITING ARRANGEMENTS.**

(Question No. 1286)

**Mr. HANN** (Rodney) asked the Minister of Agriculture—

What are the details of the underwriting levels and the basis and method of payment to dairyfarmers and Victoria's share of the dairy underwriting arrangements for 1978-79?

**Mr. I. W. SMITH** (Minister of Agriculture): The answer is—

In 1978-79, the Victorian Government is lifting the underwritten values for dairy products set by the Commonwealth Government so that Victorian dairy farmers will receive about 80 cents/lb. butterfat (176 cents/kg. butterfat) instead of the 75 cents offered by the Commonwealth Government. Victoria is the only State Government to offer this assistance.

The underwritten values of prescribed dairy products in Victoria will be \$1,265 per tonne for butter, \$480 per tonne for skim milk powder, \$1,017 per tonne for cheese, \$1,217 per tonne for casein, and \$771 per tonne for wholemilk powder. The State underwriting will apply to the same product quantities covered by the Commonwealth scheme.

To ensure that Victorian dairyfarmers receive an immediate advantage from this assistance, permission has been sought from the Federal Primary Industry Minister to have the Australian Dairy Corporation use the State's guarantee to enable funds to be advanced to farmers through factories. This will mean that farmers will receive assistance with each month's factory payment.

It is impossible to determine the precise Victorian share of dairy underwriting costs until each of this season's dairy product pools are finalized by the Australian Dairy Corporation in 1980.